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Fifty-five Years in West Alabama

by Hon. E. A. Powell

Cemetery Records, Tuscaloosa, Ala.

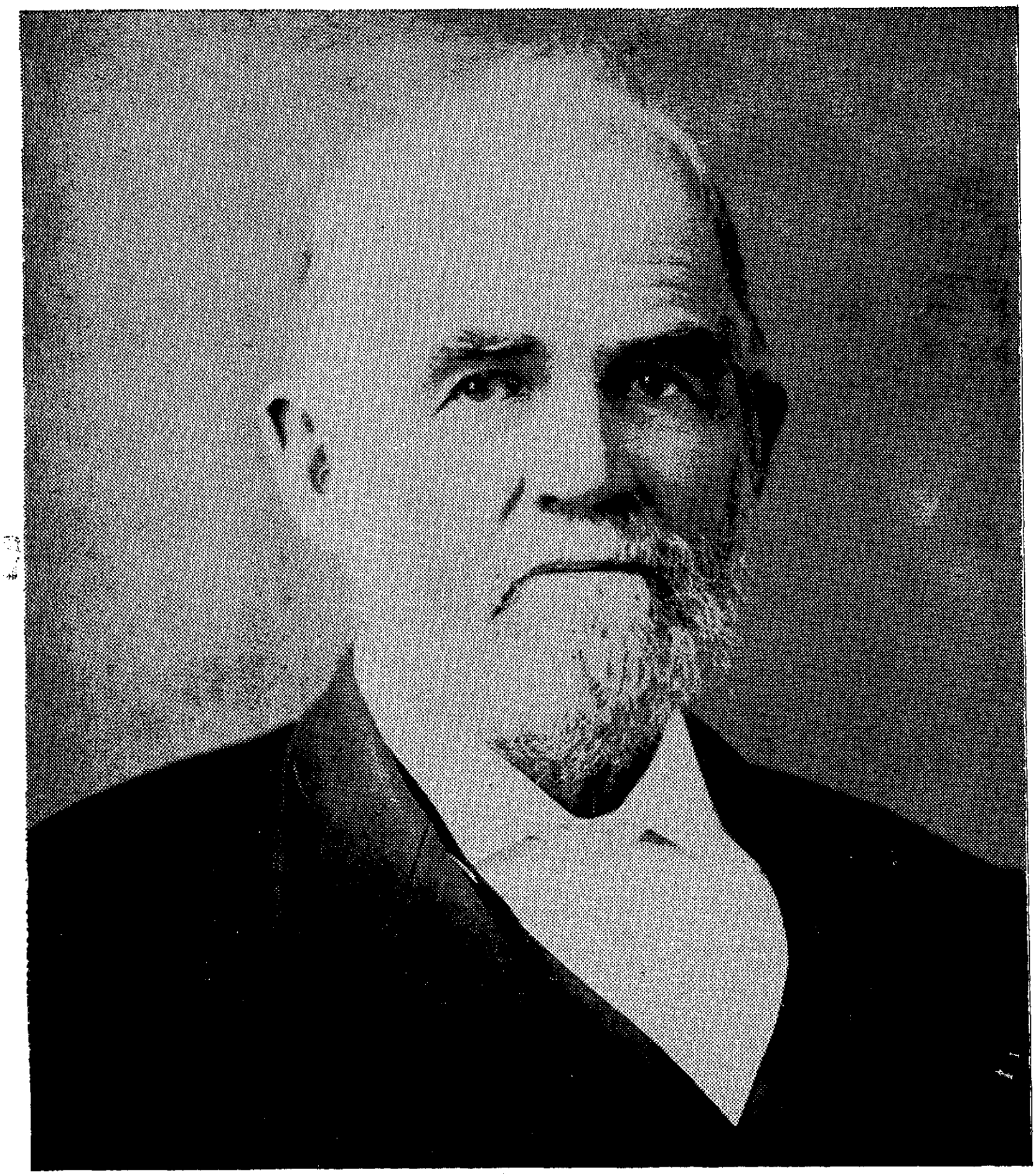
EDITORIAL

This issue of the **Alabama Historical Quarterly,** Number 4, of Volume 4, completes the volume which had been reserved for another purpose. In order to fill the missing volume a number of County histories have been presented, usually copied from old newspapers and have proven very popular especially with readers in those Counties presented. This issue is devoted to "Fifty-five Years in West Alabama", by Hon. E. A. Powell, and is copied from the Tuscaloosa Gazette, beginning with August 12th issue, 1886. There are four chapters which were missing from the clippings assembled by the late Dr. Thomas M. Owen, with the purpose of republishing them in magazine form. Those missing numbers, 24, 25, 30 and 40, were published in 1887 and 1888.

The Editor regrets that the biographical data of Mr. Powell is so meager but additional facts of his life are found on pages 639-641 of this magazine in the way of resolutions passed by the North Alabama Conference of the Methodist Episcopal Church, following his death and also a tribute to his life and work in the Christian Advocate, Nashville, Tenn., Feb. 9, 1893. The student of local history will derive much benefit by reading Mr. Powell's "Fifty-five Years in West Alabama", especially persons living in Fayette and Tuscaloosa Counties. Characters and events portrayed by the author give a fine picture of State and National affairs. A copy of the magazine is being placed in every public and high school library in Alabama for the enlightenment of the present generation.

A great many cemetery records were compiled by W.P.A. workers and copies filed in the Department of Archives and History. The inscriptions on tombs in four Tuscaloosa cemeteries are presented here in connection with Mr. Powell's article on West Alabama. Statements in parentheses were added by W. P. A. workers.

The Editor.



EZEKIEL ABNER POWELL

Ezekiel Abner Powell, author of "Fifty-five Years in West Alabama", published in the Tuscaloosa Gazette in 1886-1889, was born in Laurens District, S. C., May 27, 1817, and died in Northport, Alabama, September 1, 1892. He was married December 22, 1846, in Northport, to Amanda Melvina Lee, born March 27, 1824 and died March 9, 1872, in Northport. The author was the son of Reuben Powell, born August 27, 1784 in Culpepper County, Va. and died July 23, 1836 in Fayette County, Alabama. He married about 1808, in Laurens District, S. C., his first cousin, Sarah Powell.

[The Tuscaloosa Gazette, August 12, 1886.]

FIFTY-FIVE YEARS IN WEST ALABAMA

By HON. E. A. POWELL

CHAPTER I

To one who has spent more than half a century, as it were, in the same neighborhood, it may not be uninteresting to look back through the years that have gone by, and call up the recollections of many of the scenes and occurrences witnessed by him during that period, and not unfrequently will he feel a desire to talk them over, and as it were, live them all over again. Such has often been my desire, as I have allowed my mind to run back to my boy-hood days, in my early Alabama home.

Among my first recollections are closely associated the name of "Alabama." And for years the ruling topic of conversation in the family, and around the hearth-stone, was the enthusiastic accounts that would, from time to time, be brought to our people from that, then, far-away 'Eldorado,' the land of 'Here We Rest'. Whether the beautiful name, 'Alabama,' actually signfiies 'Here We Rest' or not, is a matter of small import at this time. That name and sentiment, have been too long closely interwoven within each other, in song and fancy, to now give place to the mere prose of history and be separated. No, the sentiment, 'Here We Rest' will be celebrated in the songs and poems of Alabama, perhaps as long as the beautiful river, bearing that name, shall pour its limpid waters into the Gulf, and through that into the stormy Atlantic.

But to return: In these fireside conversations, the exclamation was often made by father, and mother, O, that we were all in "Alabama." But how to get there,—that was the question. How could our large family make its way over the hills, and rivers, and worse than all, through the "Injin Nation," which lay between us and the land of our hopes. And then the distance, it was nearly FIVE HUNDRED MILES. All these difficulties were freely and often discussed, and the discussion as often ending without any solution of the troublesome problem.

But at length there came a solution of that question. For years my father had been struggling to extricate himself from the meshes of debts incurred on account of other people; but the struggle was an ineffectual one. The last feather had been laid on, and the Camel's back gave way. Well do I remember the sad countenance and the tearful eyes of mother, as the Sheriff passed from room to room in the house selling off the little comforts of our home,—things that were really needed for the ordinary comforts of life. There was then no Exemption Law between debtor and creditor. Nor was there any Woman's Law which protected the property of married women. No: all had to go. Land, negroes, household goods, stock, provisions and all did go.

A few weeks after these sad events found a large family, with what little plunder they had saved from the wreck, in a two-horse wagon, belonging to a friend who had kindly agreed to move us, then might have been seen wending their way slowly along the roads, bound for the long-talked-of land of Alabama. And after a journey of about six weeks over rough roads, through swamps, in sun-shine, in rain, snow and sleet, we finally called a halt about twenty miles North of Selma, where we remained one year. After which, we moved to the Western bank of the "Floating Terapin" (or Luxpelila.)

Fayette County was then (1831) a newly-settled country, but few of the settlers having lived there more than eight years. They were for the most part, an energetic people, suited to frontier life,—kind and neighborly. Many of them would occasionally get drunk and fight; but in few instances did the combatants leave the ground without 'making friends,' as the term was then used. But notwithstanding this peculiar characteristic of many of the people of that period, the reader must not suppose that there was no exception to the rule. The fact is, the characters named constituted the exception and not the rule. The churches were very well represented even at that day and time: the denominations being Primitive Baptist, Methodist, and the two branches of Presbyterian,—the Old Side and the Cumberland—at least that was the term then used to distinguish the two bodies. There may have been, now and then, a member of some other denomination in the county, but if so, the fact was not generally known.

The Baptists had one leading church, called Hopewell,—its membership was scattered over an area of from twenty to thirty miles. The church was supplied by Elder Luellen Moore, or as he was famililarly known as 'Uncle Lewis' or 'Father Moore.' He was a man without any education, yet his influence was very great with his people.—He raised a large family, all of whom were men and women of high respectability. Some few of his descendants remain in that county, but his only living children are West of the Mississippi River. The old church organization still exists, and they still hold to the old Primitive faith and practice.

The Missionary Baptists have taken most of the territory in that county,—that is, so far as Baptist influence is concerned. They have a number of churches in the county, and have accomplished a great deal of good in spreading moral and religious influence.

The Methodists had also penetrated that part of the country, and had established churches in many of the neighborhoods. The CIRCUIT RIDER as the people generally called the Pastor, was looked for at his periodical rounds; and whether on Sunday or week-day, they generally had fair congregations considering the strength of the settlement. There was another practice, at that day, that has almost grew into disuetude,—whether for good or evil I will not say. It was this,—When the 'Circuit Rider' came round to his week-day appointments, he was always invited to the house of some brother to dine and spend the night. That invitation carried with it the request, if not the demand, that the preacher should pay for the entertainment given to him by preaching to the neighbors that night. This draft on the preacher was very rarely, if ever, dishonored, and the preaching sometime formed the nucleus around which a very respectable society would cluster, and very soon become one of the regular appointments on the Circuit, and would be returned on the plan for the next year's work. Then would come the Quarterly Meeting, at which the PRESIDING ELDER was expected, and it was always expected that he would give the people a good sermon; and in most cases they were not disappointed.

But at that time the leading instrumentality in building up the Methodist Church, and as for that matter assisting all other denominations, was

THE CAMP MEETINGS.

At these meetings large crowds would gather, the preaching would generally be plain, pointed and powerful, and the effects produced would cause the beholder to almost think that he was witnessing the reenactment of the scenes of the day of Penteicost. Could almost hear the cry of the startled multitude; "Men and brethern what shall we do," and then the answer coming as if from one of the sons of thunder, "repent." At these meetings would occur many things which some people would call extravagant, still looking back now and following the subsequent life of great numbers of the subjects of these exciting occasions. When I can remember that I have seen the saloon keeper of long years standing, transferred from the saloon to the Pulpit; the unfortunate inebriate taken out of the mire of the slough and made a sober man for life. The man whose habit of profanity had become so closely interwoven with his every day life that people regarded it as a part of his nature, at once and forever break off from the habit. Yes: when I can go back in thought and remember all these and many, very many more, of similar character, all the results of these if you please extravagant meetings. I am almost ready to say would to God that these days of religious excitement or if you prefer it extravagance, would return.

Speaking of camp meetings, I remember one place deserving particular notice—"Old Bethlehem." Oh! what are the memories clustering around thy sacred precincts; how many hundreds have I known to go there in the 'gaul of bitterness and in the bonds of iniquity'—return rejoicing in hope, and who have long since left the walks of men, but leaving behind them a bright evidence that all was well, blessing God that they ever attended a camp meeting at that place. And then, too, I remember so many of the old, and elderly men of that day under whose auspices the meetings were held. In immagination I can see old father McCraw, James Murry, Mathew Davis, and scores of others giving their time and influence to the success of the meeting, and all for the good of others. The preachers—and where are they? There was Kennon, a Hearn, a Caloway, a Levert, a Weir, a Shanks, and a Murrah who filled the office of Presiding Elder, all of whom have long since gone to their reward except Murrah, he is still in the field, blowing the trumpet, though not in the effective work.

Then there were many of the Circuit riders who were men worthy of notice, Austin Gore, a man of fine preaching talent, pleasant in address, a sweet singer, and above, and better than all, a man of deep piety. His influence was great, he labored zealously and faithfully for a few years, and was called to his reward. S. B. Sawyer, who, that ever listened to the sweet, persuasive words, that fell from his lips, can forget the influence he exercised. He, too, after filling many appointments, finished his work, falling at his post.

William B. Neal, was a man of more than average power in the pulpit, whose deportment was such as to command the respect of all. Well do I remember on one occasion when he was called back to the old camp ground (at camp meeting) to preach the funeral of James Murry—seeing him stand up in the stand, and sing a then popular hymn, commencing—"In evil long I took delight." He sang it alone, no one joined him, it seemed that the congregation regarded the occasion as being too solemn for any other; the effect on the congregation was simply powerful. He still lives and is an effective worker in the Alabama Conference.

William G. Flemming was one of the giants of those days. As a preacher the equal of almost any, but a few years ended his course, and he was called home. Many other preachers on that work might be named, but 'space' says "thus far shalt thou go and no farther." But who that lived in those times, if he or she should happen to read this—would consider the narrative incomplete without a reference to one, whose faith, zeal and energy was only commensurate with his deep toned piety. Who that ever witnessed one of his camp, or protracted meetings, will or can forget his never tiring energy, his plain, practical, and yet forcible sermons and exhertations, his sweet and melodious notes in song! his prayers and then the faith he exercised in the results! forty-nine years, have utterly failed to efface these scenes from memory. What, forget the scenes at old Bethlehem, October 1838. No! they are not to be forgotten. George Scheaffer lingered in the camp; beloved of all who knew him, until last January when the master said "it is enough, come up higher." And no doubt thousands will rejoice in Heaven that they ever knew him. I think there was held at that place twenty-seven or twenty-eight camp meetings.

But the days of its glory have departed, no sign of its original splendor is to be seen. One or two old shade trees remain and thus the tale is told. But before leaving the old ground, I must recur to one other camp meeting occasion, 1833; Rev. E. V. Levert was conducting a meeting, at first the prospect did not seem encouraging, (as I then understood not being at it.) But on Sunday night a deep interest sprung up, which grew in intensity until the whole country for miles around was so leavened by its influence, that for several days the topic of conversation every where was the meetings, and if you met a neighbor in the road, the first inquiry was the news from the meetings. Fifty-three years have passed: nearly all who participated in the results of that meeting have gone to the far off land, but here and there I meet with one who waits for the word "come home."

The Cumberland Presbyterians also had a church and camp ground in the county. They were a good people, many of them would tent at the Methodist meeting, and many of the Methodists at theirs, so that each meeting would be well supported. Among their preachers were several that ranked deservedly high. There was Shook, Stevenson, Wilson, Oden, and others. They preached and labored faithfully; many of them sang almost seraphically. Of the old side Presbyterians I know but little, they had no church organizations in the country. I only knew a few of their members, who were very excellent people. Since that day the Campbellite, or Christian church has grown to considerable proportions and to day they have several churches, and quite a large membership. They are generally a very good people, their preachers are rather fond of debate, and proselyting. Some of them would transpose the declaration of Paul where he thanked God that he was sent not to Baptise, but to preach the Gospel. At this day the Methodists and Missionary Baptist are the leading denominations in point of numbers. But I must leave the religious aspect of the narative and return to other matters.

[The Tuscaloosa Gazette, August 19, 1886.]

CHAPTER II

Recurring to the general aspect of the country:—Fayette county at that day embraced nearly all the territory now included in the county, and all the Southern portion of the county of Lamar. The face of the country is generally broken,—in some places the hills approaching the altitude of mountains. Most of the county was an excellent range country for cattle. Plenty of switch sane in winter, and abundance of grass in summer, cattle did well, and several parties laid the foundation of future competence by raising them. As a farming country, it was then, and is to day fully up to, if not a little above, the average. The whole country abounded in game of all kinds.—Deer and Turkey seemed to be inexhaustible, with a good sprinkling of Bear. The smaller game, both as to animals and birds, supplied the people with fresh meats just for the catching. The Panther, Wild-Cat, and Cattamount, put in their appearance with an air that seemed to say, "We live here." One man, on "Hell Creek," in a period of less than eight years killed eighteen Panther, a number of Bears, and a great many wildcats, etc. But, had liked to have forgotten the Wolf. In almost every part of the county they made night hideous with their howlings. I have heard them break out in the swamp as late as ten o'clock in the morning, and less than half a mile from the house.

But all this has long since passed away. The bear, the panther and the wolf, has refused to associate with, or live in the same region with the white man. It seems to be a fact that all races of men, and all the wild animals of the country make way fo rthe progressive tramp of the Anglo Saxon.

There was another denizen of the fields and forests that I must not overlook. He was regarded as one of the dangerous pests to men:—I mean the Rattle Snake. They were found in considerable numbers in all parts of West Alabama; some of them grew to enormous size. They were frequently killed measuring five, six, seven, and sometimes as much as eight feet in length. I believe the highest number of Rattles I remember was twenty-eight,—which snake-men tell us indicate the age in years of his snakeship. I expect the largest one ever seen

on the continent, if not on the globe, was killed in Walker county, in the fall of 1854. The story was told to me about as follows:—Two men were out hunting and heard the distressing bleats of a fawn. Supposing it had been caught by a wild-cat, or something of that kind, they hasted to the place, and found the fawn in the coils of a monster rattle snake, which was in the act of swallowing it. One of the men shot the snake through the body, which caused it to disgorge the fawn, and threw himself into a coil of defiance, when the other shot him through the head causing his death through terrible writhings and contortions. The men said their first impression was to skin and stuff the monster, but in a very short time they became so sick that both of them vomited profusely, so they came away and left it. One of the men said his head looked about as large as his two fists held together;—that his rattles were about the size of a man's hand with the thumb taken off. Whatever allowance we may make for the excitement of the men, there is little doubt but that the snake was the largest one of his species ever encountered by man. There are three species or varieties of the rattle snake:—the diamond-back, which is the largest,—the common pided ones, of a smaller size,—and the ground rattle, which is very small. They are all very poisonous, and although the bite, if taken in time, is rarely fatal, still it is asserted by many that no one bitten by one of them ever gets entirely over it.

One or two incidents connected with rattle snakes may be told without breaking the continuity of the story: In the early days of Tuscaloosa county, Dr. T—, of the city, desired to get a rattle snake for the purpose of extracting the oil from his body. He wanted the snake killed without being fretted, and if possible by severing his head. Old Mr. R—, going home pretty high up in whiskey, came across a very large one not far from the present site of Gay's Mill, and while the snake was lying perfectly quiet, the old man opened his knife, holding it in his right hand, cautiously approached the snake seizing him just behind the head with his left hand, and cut off his head with his right hand. I have this story from the son of the old man. In reputation for veracity the son had no superior.

The next will give an idea of the prolificness of the rattle snake. In 1855, I was going home with a gentleman from one

of the public gatherings preceding one of the elections of that year, in the South-eastern part of Tuscaloosa county. Going through a nigh way, we passed a hollow chest-nut log that had been cut from across the road. The gentleman told me that some years before, he was going through that way with his family, going to a Camp Meeting:—that it became necessary to cut that log out of the way:—that when they cut into the hollow they found it contained an old rattle snake of large size with her brood, and it was either thirty-three or thirty-nine snakes they killed from that log. But the rattle snake too, like the Indian, the bear, the panther and the wolf, has given way to the inroads of the white man. It is a very rare occurrence now to find a rattle snake in West Alabama.

A great deal has been said and written about the peculiar traits of the rattle-snake. Some tell us that it is never aggressive, and never bites except it be in defence of itself. I think this is true,—and I think this is true about most, if not all snakes. There is another idea of the rattle-snake which I dont' think is true,—that is, that it never strikes without giving warning. It is true, that it rarely, if ever, strikes without rattling, but the rattling is the result of throwing itself into coil for striking, and not from any notions of generosity.

[The Tuscaloosa Gazette, August 26, 1886.]

CHAPTER III

But leaving, for the time, the wild animals and such, let us look at the political aspects of the country. The first Senator from Fayette County was Jesse VanHoose. The District was then, 1827, composed of the counties of Marion and Fayette. Mr. VanHoose seemed to have served but one session. He never would run for the position any more. He was afterwards elected Judge of the County Court, but he only served in that capacity for a short time. He seemed to have no desire to fill public stations. In my travels through life I have met with few such men as Jesse VanHoose. He was universally regarded as the friend of the poor. He was an excellent business man, and everybody went to him for advice, and to get their business done, and no one was ever turned away. The business was always well done, and the advice always correct. To say he was universally respected would but tamely express the sentiment: he was loved by all who knew him. I do not think, in all my acquaintance with mankind, I have ever met a better one. I was a boy when I first made his acquaintance, and I can only say that the respect of the boy simply ripened into veneration as manhood developed. In the latter part of 1840 he moved to North Port, where, in 1852 or '53, he died. He was buried by the Sons of Temperance, of which Order he was a bright ornament. The largest concourse of citizens that ever followed the funeral of any one from that town, made up the funeral procession. But I must stop: no pen can do justice to the subject. It is simply impossible to put Jesse VanHoose on paper. His praise was in the hearts of all who knew him. Mr. J. M. VanHoose, an eminent lawyer of Birmingham, is one of his sons now living.

The first Representative from Fayette county was Samuel Parker. He served but the one session, that of 1828. I cannot tell why he was never returned. He was succeeded by John Ship, in 1829. Mr. Ship had also been Judge of the County Court, but only for a short time. Like his predecessor, he served but one session. He was several times a candidate, but was never afterwards successful.

Judge Ship was beaten in two straight races for the House by Jas. K. McCollum, 1830 and 1831. Mr. Cullom will be noticed more at length hereafter.

I come now to the first general election I ever attended. It was in 1832 . There was a Senatorial election for the District, composed of the counties of Fayette, Pickens and Marion. Fayette was the centre county and had no candidate in the field. Pickens county brought out Col. Rufus K. Anderson, while Marion marched under the banner of James Moore. It was conceded that each candidate would come into Fayette county with nearly a solid vote from his own county, and the strength of the two counties being nearly equal, of course Fayette became the pivotal county, and was consequently the battle ground in the contest. I have since witnessed many exciting elections—but never one of the same magnitude, that produced more. The excitement extended to the boys in the country, and every one from ten years old and upwards arrayed himself on one side or the other of what they conceived the great contest. "Hurrah! for Anderson!' — 'Hurrah! for Moore!" was heard in almost every crowd of boys for several weeks before the election. Fayette county divided almost equally between them,—giving Anderson eighteen majority. This of course threw the parties back to their respective counties. Anderson received a few more votes in Marion than Moore did in Pickens,—winning the race by about "a length"—one hundred and twenty eight in the contest. I was an Anderson boy, but long before I grew to manhood I became satisfied that Moore ought to have been elected.

The parties had both served in the Legislature previous to that election. To show how far men will let their prejudice carry them in such matters, it is only necessary to say, that the chief charge brought against Mr. Moore was, that while in the Legislature, he had voted for a bill making an appropriation of fifteen hundred dollars to pay the expenses of bringing the remains of Gov. Israel Pickens from Cuba to Alabama for interment. This charge was pressed upon the people just as if it was an enormous wrong, imposing that burden on each citizen, even though he only paid a Poll Tax. On the other hand, the Moore men kept the fact that Anderson had killed his brother-in-law in Tennessee, sounding in the ears of the people until after the election, when both subjects was dropped, and I suppose were rarely, if ever mentioned.

It may not be amiss to say a few words about each of the candidates:—Mr. Moore was a farmer, well to do in life. A man of extraordinary good sense;—in every respect qualified to make just such a representative as the people of that day needed. He was never a candidate for any office after that election,—except, that in 1836 he was put on the Electoral Ticket for Judge White against Martin VanBuren. Upon the organization of the old Whig and Democratic parties, he took the Whig side, although all the counties around him were overwhelmingly Democratic; showing that he was seeking the right, and not the popular side. He afterwards removed to Monroe county, Miss., where he died just before the war,—respected by all who knew him. His family were men and women high above the ordinary rank. One of his two sons represented Monroe county twice in the Legislature. His youngest son, Hon. L. Moore, to day occupies a very prominent position in Texas politics.

Mr. Anderson was a very small man, of rather brilliant talents, very impulsive in his nature. He could not brook the slightest semblance of insult. Before the expiration of his term he was killed in a street rencounter by Gideon B. Frierson,—a man nearly three times his physical size. So strong was the opinion that Mr. Frierson acted in self-defence, I do not think the Grand Jury ever indicted him for homicide. In Garretts' Reminiscences of Public Men in Alabama may be found a full account of the difficulty.

I have said this was the first general election I ever attended. I saw one thing at the election which should be noticed; In a dry-goods store there was improvised, outside the regular counters, a board reaching clear across the room. On that board was ranged along in regular order, fine decanters filled with Whiskey, Brandy, Wine, Rum, etc.,—each handsomely labeled, "Col. James K. Anderson,"—"Major James Moore,"—and so on through the entire list of candidates. Some of the voters were very liberal. They did as they said Charles Crowley did at the Camp Meeting on Sunday: it is said he ate all around the encampment.—These voters drank all around the board.

In 1832 Charles C .Thompson defeated James K. McCollum for the House, after a rather heated contest. Mr. Thompson had served three years as Sheriff, and was quite popular. He ran again in 1834, and was elected with Gen. Wm. S. Taylor,—

it being the first time Fayette county was entitled to dual representatives. Gen. Taylor was elected to the House in 1833, defeating Col. James Wilson, by a considerable majority. He was elected each year successively from 1833 to 1839. In 1840 he was not a candidate, but was again elected in 1841. This was the last year he was a candidate. The next year he removed to Tippah county, Miss., and as soon as he was eligible, was elected to the Mississippi Legislature, and was continued in that position until he removed to Texas somewhere in the high-up forties. As soon as eligible to a seat in the councils of "The Lone Star State," he was elected to the House and became Speaker of that body. General Taylor was rather a remarkable man: possessed of only a limited old-field-school education,—he nevertheless worked himself into the several positions he filled, and became to a considerable extent distinguished. He was a man of fine address-ready speech, and quick to reply to any remark or question that might be made to him. He had a large relationship in the county, of which he was the idol. This, combined with his genral popularity, made him almost invincible; and although he encountered strong opposition, he was never defeated. In 1836 he raised a Volunteer company and served three months in the Florida War. He died at Larissa, Cherokee county, Texas, sometime between 1856 and 1860.

The colleagues of Gen. Taylor in the Legislature were as follows, 1st: Caswell C. Thompson, who has already been noticed; 2nd: Burr W. Wilson; 3rd: Charles Brysel; 4th: Lawrence Brashur; 5: Robert J. Morrow; 6th: Wilson Cobb, and last, (1841) Elijah Marchbanks. Some of these deserve more than a passing notice. Burr W. Wilson was a native of Tennessee. He studied law in early life. He came to Fayette county before 1830. He was elected County Judge in 1830, but held the office but a short time, when he resigned, as was said at the time, in order that he might fill the office of Justice of the Peace in the Town Beat,—which was far more lucrative than the office of Judge at that time. Judge Wilson was the first lawyer I ever saw. His first appearance before the people was in 1834. There was quite a number of candidates for the Legislature, but the Judge was defeated by a small majority. The next year he was elected by a decided majority. He served but the one session in the House. Was not a candidate in 1836. In 1837 he was elected to the Senate for the District composed of the

counties of Fayette and Marion, over Henry Burrough (who was the incumbent) by a very decided majority, and in 1840 was re-elected over the nominal Whig opposition of B. L. Shankle. After serving out his term he retired from public life, until 1851. He was then a candidate for the Senate, but was defeated by E. P. Jones. In politics Judge Wilson was a Democrat of the Andrew Jackson school,—the corner stone and pole star of which was, his love for the UNION. He could not look with any degree of patience upon any policy that even tended to a severance of the union of the States. He continued in retirement until the storm of 1860 burst upon the country. In 1855 he had simply, as a private citizen, united himself to the American (K. N.) party, and in 1856 supported Mr. Filmore for President; and in 1860 he supported the Union party nominee, John Bell, for President. After the election of Mr. Lincoln, he was elected to the Convention called by Gov. Moore, in accordance with a resolution of the Legislature at the preceding session. In that Convention he opposed the adoption of the Ordinance of Secession, and refused to sign it after it was passed. In 1865 he was again elected to the Convention called by Gov. Parsons. In every public station Judge Wilson was upright. He suffered from an impediment in his speech, which he felt, and this defect no doubt caused him to remain silent when otherwise would have spoken. He closed his public career by filling the office of Probate Judge, under the reconstruction measures. In 1883 he died at his home near Fayette Court House. His entire life from early manhood was spent in that community, highly respected by all who knew him .

Robert J. Morrow was regarded as the best educated young man in the county. It was said that he was educated for the ministry in the Presbyterian Church; but he did not take that course—but turned his attention to politics. In 1833 he was elected Clerk of the Circuit Court of Fayette county over Reuben F. Box, a very popular young man. The contest was close; the friends of each doing their utmost to achieve the success of their friend. The young men were intimate friends, and the canvass did not interfere with their friendly relations. Morrow was elected by six majority. After serving out his term as Clerk, he several times sought a seat in the Legislature, but was never successful but the one time. He was what the people of that county regarded, a fine speaker, and he had many ardent

friends in the county.—But, alas! as with many others of similar prospects, King Alcohol asserted his power over him. He was tempted,—he yielded,—tasted,—drank, and fell. After many ineffectual, spasmodic attempts at reformation, he finally yielded to the morbid appetite, and years ago death threw its dark mantle over the scene, and the world loses sight of that promising young man; and now but few, perhaps, remeber that he ever existed. And yet, to day we are told if we try to remove the temptation from the young that we are 'FANATICS!' Would to God that the whole land should, to day, swarm with such 'fanatics:'—would to God the time would come when our Legislators would only ask, "is it right," and do the right instead of asking, "Will the people approve it?"

Wilson Cobb had been in the Legislature of South Carolina. He was elected to the Alabama Lower House in 1839, and again in 1840. He was defeated in 1841; and was again a candidate in 1842:—but "man proposes—God disposes." The week before the election, going from one Precinct to another;—riding along the road, a big limb fell from a dead tree and killed him instantly. There was not a breeze stirring at the time.

Elijah Marchbanks was the last of the colleagues of Gen. Taylor. He was elected to the House in 1840 and in 1841. In 1843 he was elected to the Senate and served three years. These services bgan and ended his public life. A few years afterwards he moved to Mississippi where he died. He was of medium talent, a well-to-do farmer, and highly respected.

[The Tuscaloosa Gazette, September 2, 1886.]

CHAPTER IV

Going back to the earlier days, I will notice the Congressional elections of 1831 and 1833. In 1831 there were three candidates in the field: Sam W. Mardis, Gen. Garth, and R.E. B. Baylor. I was then too young to know anything of the merits of the canvass. I only know that one Gen. Erasmus L. Acee took the field against Baylor, but in whose favor I do not know. I only know that Mardis was elected,—and remember seeing his 'frank' on public documents to my father. I never met either one of the candidates. General Baylor went to Texas, and I think became a minister in the Baptist Church. I met General Acee one time, in 1837. He was a zealous advocate of total abstinance, and a son of his told me during the war that his father never went back on himself on that subject.

In 1833 the contest for Congress was between Gen. James Davis and Col. John McKinley. There was a Mr. Hatch in the race, but his vote was nominal. Gen. Davis made the first political speech I remember. Some one had circulated a report prejudicial to him, and he was speaking of it. He said the man who circulated the report (giving his name) had wilfully, willingly, and knowingly, lied. The other was about this: He said some people said the Government had done a great deal for the poor man. He said in one sense of the word that was true. The Government allowed a poor man to enter forty acres of poor land for fifty dollars, on which he would remain poor as long as he lived. General Davis was defeated, though making a fine race. The Tennessee counties voted too strong for the hilly South.

McKinley afterwards became one of the Associate Justices of the United States Supreme Court. Of Gen. Davis I knew nothing after the election. He was the brother of Gen. Reuben Davis, of Aberdeen, Mississippi, who was in time quite distinguished as a criminal advocate.

In 1834 there was an election for Senator from the District composed of the counties Fayette and Marion,—There were three candidates, Mark Meeks, who was just going out of the Sheriff's office of Fayette county, Jas. K. McCollum of the same county,

and Henry Burrough, of Marion county.—The contest was an exciting one.—Meeks and McCollum divided equally in Fayette, while Burrough consolidated the vote of Marion and bore off the prize. Meeks moved to Mississippi, and died in a few years. Burrough being defeated in a second race disappeared, as far as I can state. McCollum remained in Fayette until about 1872, where he died. In many respects he was a remarkable man.—Siding with the Whig party, which was only nominal in Fayette county, charged with many offences of high grade, still he would seek office, and almost always making a fair run, and in 1849 and 1851 was elected to the House over strong Democratic opposition. In 1855 he made his last race, and stood a good pole against the invincible E. P. Jones,—who will be hereafter noticed. Incidental to the name of J. K. McCollum I may relate an incident which exemplifies the true sense of gratitude as well can be:—In the early history of Fayette county, Jesse Barnes came from North Carolina, with a large family of children, and in almost destitute circumstances. In passing through the county, McCollum chanced upon him, took in the situation of the family, told Mr. Barnes to send to his mill and get bread for his family, and pay for it when he could. He did so. In a few years he paid for it, and ever after that, whenever McCollum was a candidate he was sure of the vote of the entire Barnes family. The old man would talk to me about it and say, "Ab, they say a great many things about Jim McCollum, and I am afraid they are true, but he fed my children when they were hungry, and I can't vote agin' him."

Mr. Barnes was a very remarkable man. He was of low stature, but heavy, of great physical power. He had never been to school a day in his life,—raised, I think, about eighteen children,—never sent one to school, and if either of his children ever sent one of theirs to school, I never heard of it. He was a great hunter, and thought he had the best rifle ever made in North Carolina,—killed hundreds of deer, a good many bears, and said he could tell you the circumstances of the killing of every one. When he was up in the eighties he professed religion and joined the Methodist Church. He said he had never been sick a day in his life and had never taken a dose of medicine. When he was ninety-three or four years old he was sitting in a large arm chair at the house of his son;—his daughter-in-law had left him as well as usual,—was gone but a few minutes,—when she came back the old man was sitting up in the chair-dead.

He had simply QUIT,— 'dust had returned as it was,' and the spirit to God who gave it.

In 1842 Fayette county was represented in the House by James Morris and Adley Harris; and in 1843 the same gentlemen were returned. These two sessions began and closed the Legislative career of both of them. Mr. Morris was a merchant. Was a man of fine practical sense,—with limited speaking powers. His course in the Legislature gave general satisfaction, but he never sought another election. A few years afterward he moved to Giles county, Tennessee, where for many years he filled the office of Justice of the Peace. Years ago he died, rspected by all who knew him.

Mr. Harris was a candidate again in 1844 but was defeated. He was a well-informed farmer, of good sense and fair talking powers. His character was above reproach. He died at quite an advanced age a few years ago. In politics he determined to know nothing but Democracy of the Andrew Jackson school.

In 1844 Alvis Davis and W. W. Bell were returned to the House from Fayette county. Mr. Bell was a Methodist preacher of fair talent and good standing. He never sought a re-election. Mr. Davis was elected again in 1845 with Elijah Williams, and again in 1847 with John R. Kirkland. He was never afterwards successful. After one or two efforts he retired to private life and died a few years after the war. He was a man of energy,—rather speculative in his ideas,—a good citizen and made a faithful representative. Of Mr. Williams, after his term, I know nothing. He was a modest man, highly respected among his neighbors, and stood fair in the House. He was never a candidate again. Mr. Kirkland moved to the North West, and I lost sight of him. In Alabama he was a Jacksonian Democrat, but I learned after he went West he joined the Republican party.

In 1847 Daniel Coggin was elected to the Senate from Fayette and Marion counties. He was from Tennessee; came to Fayette county about 1845. In the contest for the Senate he was opposed by Judge Wm. R. Smith, who will hereafter be noticed. The contest was repeated between the same gentlemen in 1849 and with like result. Mr. Coggin was a lawyer of fair ability, rather independent of the Queen's English in speaking. He was elected to the office of solicitor by the legis-

lature of which he was a member—filled that office until 1852, when death stepped in and closed the scene with him. In all his public life he was faithful. In Tennessee he had been elected to the Legislature as a Whig, but during the session changed his mind—became a Democrat—and resigned his seat, it was said the day before the arjournment of the session. His style of speech was unique, rather pleasing to the crowd, and he spared no effort in making his opponent feel the force of his power.

A. J. Coleman was elected to the House from Fayette county in 1849 and 1851 in connection with James K. McCollum. In 1857 he was again elected with James Brock in 1859 with Japtha Seay. In 1861 he was elected to the Senate and served in that body during the war. This closed his public career. Mr. Coleman was a man of medium ability, fair character, faithful to his party, which he always considered an evidence of fidelity to his country. Mr. Coleman still lives in Pickens county. He was during his entire public life and is now a minister in the Primitive Baptist church and regarded by his denomination as one of their ablest divines.

In 1853 Fayette county was represented in the House by E. W. Lawrence and Alva M. Reynolds. They were both farmers of medium ability, good character and faithful as public servants. Mr. Reynolds was a minister of the Primitive Baptist church; he never offered his services any more; a year or two after the war he died in Fayette county at a good old age. His private character was never called in question.

Mr. Lawrence was elected to fill a vacancy after the war. He served in the session of 1866-7, and took an active part in the establishment of the county of Jones, taken partly from Fayette and partly from Marion. Under the reconstruction measures the convention of 1867 abolished the new county, and remanded the territory to the original counties. At the first legislature held under the new constitution of 1867, Mr. John T. Harkins was returned to the House from Fayette. He took position with the few Democrats in the House. Mr. Lawrence went down to Montgomery to revive Jones county, and in order to succeed contested the seat of Mr. Harkins, got him turned out, and himself seated in his place, and finally

succeeding in reinstating the county under the name of SANFORD, which has since been changed to Lamar. This closed the public life of Mr. Lawrence. He still lives in Fayette county, a respected citizen.

In 1355 the great Know Nothing contest occurred in the State. The candidates in Fayette county were,—on the Democratic side, Thomas P. McConnell and John C. Kirkland: on the side of the Know Nothings (as they were called) A. M. Nuckols and Jeptha Seay took the field. The contest was an exciting one, with chances rather favoring the new party. But the great contest in Virginia between Wise and Flourney being decided against the new party, its prospects began to wane, and in the election in August the Democratic candidates were elected by fair majorities. This subject may be again referred to in the progress of these sketches.

Mr. McConnell was an intelligent farmer of far more than average general information. He was a forcible and earnest speaker,—very logical in his propositions, and always carried with him the evidence of sincerity.—No man believed that even in the heat of debate he ever uttered a sentiment which he did not believe to be true.—In the Legislature, he was modst, attentive to business, always on hand at roll call. Whenever he spoke in the House the few remarks he made were listened to with attention. As a member of the body he commanded universal respect.

In 1857 he contested the re-election of Hon. E. P. Jones to his seat in the Senate, but although making a reputable run, the popularity of Judge Jones was too much for him to overcome. Mr. McConnell has, since the war, been several times before the people for office, but not being fully aligned with the old party, they have managed to defeat him. He still lives in Fayette, a highly respected citizen. His character for morals and integrity is eqüaled by few and surpassed by none.

[The Tuskaloosa Gazette, September 16, 1886.]

CHAPTER V

John C. Kirkland was a farmer of strong native sense, and fine physical appearance; and courteous, but quick to show his resentment of anything which he thought to be offensive. He was not a candidate again until within a few years past, when he twice represented the county in the Lower House. Mr. Kirkland still lives in Fayette county, a highly respected citizen.

James Brock was a good citizen,—a farmer of limited information. He served but the one session; had filled the office of Justice of the Peace for many years. As a member of the House he was modest and unassuming and general respected. He died a few years after the war.

Jeptha Seay was retunred in 1859 with A. J. Coleman. He was again elected in 1863 as the colleague of Alexander Cobb. Mr. Seay was an uneducated man,—above the ordinary standing. He possessed a fine share of native wit, and always made himself agreeable. He had several times aspired to a seat in the Legislature, but Fayette county, not being in the habit of electing Whigs to office, he was never successful as above state. His want of success, however, was not owing to his want of personal popularity, but simply from the fact that the people thought he was on the wrong side. In the House, his genial wit made him a universal favorite. Nor was it alone in the public or social walks of life that his wit could be turned to account and made to contribute to his pleasure, but sometimes it was made to serve a more practical purpose. One incident will show how he was always ready to use it in emergencies. Unfortunately when in town he would sometimes take a little too much of,—, well, you know how it is yourself. On one of these occasions, in the city of Columbus, he had engaged in a little "Georgia rotation" with some one within the prohibited limits of said municipality. Soon, however, the alarm was given that the terror to the violators of municipal laws—the City Marshal—was rapidly approaching. The other party to the 'rotation' took alarm and was soon beyond the jurisdiction of said official. But Mr. Seay not being so fortunate, was left to his wits to get out of the trouble, and as usual they were equal to the case. The Marshal came up and accosting him with "What's going on here?"—Mr.

Seay immediately replied that he believed two men had been fighting there but a few minutes before. The Marshal inquired the way they went, and being put on the wrong track, left in a hurry to find the disturbers of the city's peace; and before he found out the trick, Mr. Seay had secured his own safety by putting first the corporation and then the State between him and the offended city. The offense being only a misdemeanor, no demand was ever made for the Colonel, and thus the matter ended. A few years ago he was summoned by One whose command is never disregarded, and the grave received the last remains of one who had been faithful in public life, genial as a friend, and kind as a neighbor.

Alexander Cobb and Jas. Middleton responded to the call of "the county of Fayette" in 1861. Mr. Cobb again in 1863, and still again in 1865. Mr.Middleton is, I think, a native of Georgia; came to Tuskaloosa and then to Fayette as a school teacher about the year 1834. He continued in Fayette until the organization of Sanford county.—He has filled the office of Clerk of the Circuit Court in that county, (now Lamar.) As a member of the House his modesty of deportment, and general courtesy and kindness made him universally esteemed,—while his good common sense on all subjects commanded the respect of the entire body. As to character there was never but one expression of opinion concerning him, and that was that in all the elements of true manhood, neighborly kindness and Christian culture he was the equal of any. Mr. Middleton, in old politics, was a decided Whig, and was a zealous supporter of Bell and Everett in the trying contest of 1860.

Alexander Cobb is a native of North Alabama, a nephew of the late invincible W. R. W. Cobb, who beat all the crack men who could be brought against him for Congress in the Huntsville District. Alexander Cobb came to Fayette county about the year 1844, as a merchant: was elected Clerk of the Circuit Court, which office, I think, he resigned and moved to Mississippi, and engaged in commercial business. Afterward he returned to Fayette county previous to the time of his first election. In the House he took the position always awarded to extraordinary good sense and close attention to business. He is not what may be termed a polished speaker, but is very forcible and the opponent who tackles him may look out for blows that will be felt whenever they strike, and they are almost

sure to hit. Mr. Cobb is now a candidate for the third term as Probate Judge of Lamar county. He refuses to let his claims to before a Convention, and the people have heretofore sustained him in so doing. He is a Democrat of the Free Trade School. In office he is courteous and obliging; discharges his duties to the satisfaction of all parties, by sinking the partizan into the officer. As a citizen he is held in high esteem by all who know him.

(Since the foregoing was written the election has taken place, and Mr. Cobb has been elected by a very large majority over several good men.)

Thomas Molley was elected with Mr. Cobb in 1855. He is a Free-Will Baptist preacher. In the House he was unassuming, —generally respected and closed out his public career with the one term.

I have already noticed the session of 1868 under the name of E. W. Lawrence.

In 1870 Dr. Wm. H. Kenedy was elected. I have never met the Doctor in public life. I knew him, however, as a high-toned Christian gentleman, of a high order of intellect and universally respected. He has since given his entire time to his profession and his farm, and also to the unumbered amenities called for from one in his position. He has never sought public position since 1870.

As I come down nearer to the present in point of time, memory is somewhat at fault as to the representation of Fayette county. I do not remember who was sent to the House in 1872, 1874 and 1876. I only know that Musgrove, Kirkland and Legg filled the places, but cannot give their order.

In 1882 Jn. B. Sanford, a prominent lawyer and Christian gentleman, was returned from Fayette. He was never a candidate for the House after that year. He was a candidate for the Senate from his District the present year, (1886) but was not successful. There was a regular tangle in the District Convention, growing out of what was said to be the manner of electing the delegates from Fayette county. The trouble could not be

reconciled, so the Convention dissolved and each made nominations. Mr. Sanford's friends nominating him and Mr. Almond's nominated him, and carried the election by a decided majority. Mr. Sanford is a gentleman that you will naturally be drawn to: a good lawyer, and very attentive to any business entrusted to his care. He will no doubt soon overcome his defeat, and resume his former standing in the political affairs of his county.

[The Tuskaloosa Gazette, October 14, 1886.]

CHAPTER VI

Going back to the Senatorial representation,—the next name in order is that of Elbert P. Jones. He was elected in 1851, 1853, 1855, 1860, and last in 1865. I do not think it would be exeggerating in regard to him, or disparaging to others to say that Judge Jones was the ranking Senator from that section of Alabama. His standing in the Senate was very good. He had the confidence and esteem of such men as Jemison, Gunn, B. C. Yancey, Watts, McLemore, B. H. Baker, Bethea, Bullock, and many others who deservedly stood high in the councils of the State. As a lawyer he was very safe. His advice was always in the interests of peace, and against litigation. He was in no sense of the word technical, but wanted to get right to the merits of the case and try the real issue. His fairness was proverbial.

In politics Judge Jones was a Democrat, true to his principles, but liberal and generous to the other side, in which he had hosts of warm personal friends. He was at first elected Judge of the County Court, but upon the organization of the Probate system he went out. He was never beaten in a contest before the people. Judge Jones was opposed to secession, and in 1860 espoused the cause of Stephen A. Douglass for President as the surest means of averting calamities that subsequently befel the South. After the election in 1860 he was elected to the Convention called by Gov. Moore. In that body he voted against the Ordinance of Secession, and was one of the few who refused to sign that document.—After the war he was elected to the Convention called by Gov. Parsons, and was elected to the Senate,—the last one before reconstruction. This term closed his public life. He betook himself to his profession, which he followed until a few years ago, when death called him. He was ready for the summons. His memory will long live in the hearts of his numerous friends.

I believe I left off the Congressional elections with 1833, when John McKinley was elected over Gen. Davis.—In 1835 Joshua L. Martin and Ralph Hatch were the candidates. They both lived in North Alabama. There was but little excitement in this election, as Mr. Martin seemed to have but nominal

opposition, and was elected with ease by a decided majority. In 1837 he was opposed by Judge Stone and David G. Liggon, but the opposition failed. Mr. Martin was easily elected. Mr. Martin was from East Tennessee. He possessed a fair English education, and was a lawyer of note in his day.—His success was remarkable . He was five times elected to the Legislature from Limestone county: once elected Judge of the Circuit Court, once Chancellor, from which position he was called by the Democrats who were dissatisfied with the nomination of Col. Nat Terry, in 1845.

In the language of one of the chroniclers of the times, "the people saw Joshua on a bench." They called him and he responded to the call. The contest was an exciting one. The leaders, wire pullers and bosses, then as they ever have done, and are ever doing to-day, left no stone unturned to defeat the man who had dared even at the urgent call of his countrymen to call in question the falibility of their dictation. But the end came, and on the first Monday in August the people decided that Joshua should lay off the Judicial Ermine and assume the Executive Mantle. It was the first time in the history of the Democratic party of Alabama that the nominee of the party, for a State office, had been defeated, and then the defeat coming through one of its own ranks, many of the leaders were xeceedingly sore and some of them never did forgive him; but the people were staisfied all the same. In 1847 Gov. Martin announced himself as a candidate for re-election. The Democratic Convention nominated Reuben Chapman. The contest bid fair to be as exciting as in 1845, but George W. Lane announced himself as a Whig candidate. The Whigs, however, prevailed on Judge Lane to withdraw, and allow them to use the name of his father-in-law, Nicholas Davis, Sr., the Ajax of North Alabama Whiggery. After Capt. Davis was nominated, Mr. Martin in a very handsome card withdrew from the canvass. This resulted in the election of Mr. Chapman, though by a considerable reduced majority. Out-spoken and independent at all times, —not seeming to care whether his declarations were popular or not, nevertheless he was always popular,—never failed of election either before the people, or the Legislature.

Incidental to his history, I will relate a case which I got from his own lips: In Limestone county, in early days, the subject of treating by candidates ran very high. It finally got to

the point that every retailer would, after the election, present his bill to the successful candidates for the amount he treated on his account during the canvass. Many of the candidates would submit to the levy rather than incur the opposition of the retailer. Governor Martin was presented with one of these bills, which he very peremptorily refused to pay. The fellow actually sued him on the acount and relied on proving the custom to get his judgment. Of course he failed and was enraged at his want of success. But he and his crowd consoled themselves with the threat, "just let him come out again," and we will show how the matter stands. As soon as the threat was made Mr. Martin, contrary to his previously expressed intention, announced himself a candidate for re-election, publicly proclaimed that he would not treat to anything from ginger cakes to brandy; that he would not give anything for barbecues, or anything else, but would run the race simply upon his own merits. The issue was made and he was overwhelmingly elected; and for years after that it was only necessary for a candidate in that country to treat in order to insure his defeat, and I have been told that the influence of that canvass is felt in that county even to this day. The language that I have at command is important to express my feelings, for Gov. Martin; to say that I like him, or that I admired him or highly respected him, all these expressions are entirely too tame, and I know of no other word to use, but to say that "I loved him." Well do I remember when struggling against the adverse winds of life the many words of encouragement and acts of kindness and friendly advice given me by him, remember them to-day, and will not forget them while I have power to remember anything. In 1853 Gove. Martin was elected to the Legislature, from Tuskaloosa county, receiving almost a unanimous vote, his many Whig friends giving him a cordial support. I take pleasure in recording myself as one of these Whig friends. This as the last of his public life. In 1856 after a lingering illness he died after having fully made his peace with God and was buried on the day Buchanan was elected President, followed to his final resting spot by a large concourse of citizens.

In politics Gov. Martin was a Jacksonian democrat, true to his convictions but always liberal to his friends of the other side. But I must stop. Peace to his memory.

[The Tuskaloosa Gazette, October 21, 1886.]

CHAPTER VII

In 1839 Major David Hubbard, of Lawrence county represented the District in Congress. I am not now certain who his opponent was; it was probably Hon. David G. Ligon, of the same county, but the vote of Fayette was nearly unanimous for Major Hubbard. Major Hubbard was prominent before the people for Governor in 1845, but Col. Terry bore off the nomination only to be defeated by Chancellor Martin, the Independent. Major Hubbard was six times elected to the Legislature from Lawrence county; last in 1859, and always took a prominent position in the body. He was in early days a democrat of the Jacksonian school, and in the days of Nullification in South Carolina he supported the policy of President Jackson against that doctrine. In 1850 he espoused what was then known as the Southern Rights cause, and was prominent in opposition to the adjustment measures of that day. In the great contest of 1860, the contest that put the last feather on he camel's back, he took extreme Southern ground; was put upon the Electoral Ticket, and was a zealous advocate of Secession. Time has long since settled the impolicy of that move. In every position he occupied he was a prominent character. Being of a positive character, of course, he had his admirers and also his opponents, but he was highly respected by all. Major Hubbard died about the end of the war.

I suppose I might here say a word in regard to Chancellor Ligon. I never met him but on two occasions. The first was in 1837, when he was canvassing for Congress. He spoke at Fayette Court House to a crowd of respectful hearers, four-fifths of whom were against him-still his speech was received as a bold and fearless announcement of his principles, and delivered with an eloquence that was truly captivating. The next was at Tuskaloosa in 1845, on the occasion of the installation of the officers of the Grand Lodge of Free Masons. He had come to Tuskaloosa to run for Chancellor before the Legislature, then in session. The Grand Lodge had invited the Rev. Thomas Chilton, a distinguished Baptist minister, to deliver the address, and he was expected up to within an hour or two of the time, but failed to come, and the Lodge called on Mr. Ligon to take his place. He

did so, and all that need be said of the effort is, that it was beautifully grand. It was said that that address contributed largely to his election, as he was a decided Whig and the Legislature largely Democratic. And just here it may be said that the Legislature though always Democratic never insisted on putting Democrats alone on the Bench or in the position of Solicitors. It was the general custom to have one Whig on the Supreme Court Bench, and generally as many as two on the Circuit Bench. This practice was continued up to 1855, when the Legislature made caucus nominations for every officer to be elected, and the elections in the Joint Conventions was simply a ratification of what the caucus had ordered. With but few exceptions this rule has prevailed from that day to this.

But to return to Mr. Ligon. He was elected to the Legislature from Lawrence count yin 1829; elected Chancellor in 1845; and Associate Justice of the Supreme Court in 1853. These places comprised his public life, each of which he filled well. It may here be said with some degree of sadness, that Mr. Ligon allowed the indulgence of his appetite for stimulants to put the brakes on his otherwise promising future. But it may also be said with a great deal of pleasure, that he saw his error, —renonunced strong drink and ever after, it being many years, lived a sober life, became a distinguished observer of total abstinence, and was for many years a minister of the Christian or Campbellite Church. He died a few years after his election to the Supreme Court.

Before leaving Fayette county I suppose I may notice the different elections for Governor. In 1831 the contest was between John Gayle and Captain Nicholas Davis. Mr. Gayle was from South and Mr. Davis from north Alabama. I do not know what, if any question, divided them. Mr. Gayle was elected,—by what majority Ido not know. He was again elected in 1833, without opposition. In 1840 I saw Mr. Gayle and Mr. Davis standing shoulder to shoulder with their shields locked, and their keen blades of wit and eloquence glittering in the fray, each one earnestly working to compass the defeat of Martin VanBuren for President. But as neither of them belong properly to West Alabama, I will pass them by with the remark, that each one has registered his name high in the hsitory of Alabama. and there they will remain, and that no friend or relative of

either one need ever fear the blush of shame in looking into those records.

In 1835 Clement C. Clay, Sr., was elected Governor, over Enoch Parsons. He did not serve out his time, but resigned in 1837, upon being elected to the United States Senate at the called session of the Legislature. He resigned his seat in the same in 1841, and in 1842 he gave us Clay's Digest. He afterwards served a short time on the Supreme Court by appointment. But for the same reason and with like reference in the case of Gayle and Davis, I dismiss the distinguished gentleman.

In 1837 the election for Governor was between Arthur P. Bagby and Samuel W. Oliver. The gentlemen both lived in South Alabama, and in adjoining counties. I only know that I liked but one year of being entitled to a vote, and I very much desired to vote for Mr. Oliver . In Garrett's Reminiscences of Public Men in Alabama the reader may find out what each of the gentlemen were. Mr. Bagby was elected again in 1839. The next Gubernatorial election I attended was in Tuskaloosa county: and I may here say that I had never voted for a Governor when there was a contest until 1870, when I voted for Robert Burns Lindsey. Since that time I have voted for the Governors elected, —except Governor Lewis.

[The Tuskaloosa Gazette, October 28, 1886.]

CHAPTER VIII

At the time I first went to Fayette the mill question was one of importance. Many people had to go as far as twenty miles to get their corn ground into meal. If the mill-boy had a turn of wheat to carry, it was understood that as soon as the grist was put up to grind he had to take his place at the crank of the Bolting Chest and bolt his flour. This was an extra toll the farmer had to pay to get his wheat ground, and this was the only way he or his children ever got a biscuit or pie or cake to eat. There was no such thing then as sending to the store and getting a sack of flour put up to suit the size of the purse. I think the two first mills put up in Fayette are still in existence. How often they have been repaired I cannot tell. Perhaps the first was built by David Thornton,—twelve or fourteen miles northeast of Fayette C. H. I do not know who owns the old mill now. The other was built by 'old uncle Jonnie Jones,' as every body called him. He was his own miller and attended to it until he was called to render his account before that trubunal to which we are all tending. Of course, I mean until he had to take his bed in his last sickness. I remember well when the old man died. His character for honesty was of the highest order. I have often heard it said by patrons of his mill, that if you could learn your horse to go to mill and back, it would be just as safe to lash your sack to your horse and send it that way as if you had gone with it yourself. The old man was a strict member of the Primitive Baptist Church, and was, no doubt, fully impressed with the idea that he was as near the only true line as it was possible for man to get in this world. He left a large family of children,—nearly all of whom has followed him to that bourne from whence no traveller returns. The other mill is six miles from the Court House, and is owned by a Mr. Shirley. It is considered pretty good property.

There are several old primitive buildings in the county, and although they are of modest pretensions, still their antiquity entitles them to notice. One of these is the house in which Mrs. Downs now lives—thirteen miles south of the Court House. I think it is almost certain that it is the oldest frame building between the Warrior and Bigby Rivers. It stands on the divide

between the waters of these two rivers, and rain falling on one side of the road goes to the Bigby, and that falling on the other goes into the Warrior. The old house looked well weather beaten in 1831. It was built by Mr. James Richards, a man of considerable note in the early days of the county. There was a large family of the Richards, but most of them have passed away. I suppose the next two frame houses in point of age are in the town of Fayette. One is a part of what is now known as Phillips Hotel, and the other is part of what is Walters old store immediately west of the Court House. The first was built by Samuel B. Henry, and the second by Henry P. Leonard, each being built for store-houses. There is a cabin on the place known as the Aunt Polly Murray place which is deserving of notice. It is a hewd-log house, and was built somewhere in the high up twenties,—covered with shingles at the time, and it has the same roof to-day that was originally put on it, and I am told that it does not leak but little as yet. Passing through the country, you will now and then find one of the original tenements, but they are very rare indeed. From Tuskaloosa to Fayette Court House there are but four to be seen: one on Mrs. Caraway's place, six miles from North Port; one at Binion's creek, sixteen miles from North Port; the next the Down's place, already noticed, and last, the old Rob't Nicholas place, three miles south of Fayette C. H. There were two others until within this year, to-wit: the John Moore, or old Jenkins place, which was burned in the spring,—and the other the present residence of Captain Cowdon. The old house has given way to a very handsome country residence now in process of construction.

I know of no house now standing between the rivers running on either side of Fayette C. H. that was standing when I went to the county, except the cabin heretofore mentioned, on the Aunt Polly Murray place, and one two miles above the Court House,—known to the old settlers as the Bingham place, and the George Thompson place, about six miles from Fayette.—If there are others I am not apprised of it. On the west side of Luxepelila there are but two that I am aware of. One is the residence of Col. John W. Collins, which was built by 'old uncle Joe Smith,' as we boys were wont to call him; the other by Henry Moore. I do not know who lives at the place now. There were two of the primitive settlers of that neighborhood. They were good neighbors,—but death has long since called them

away. I might here mention a number of good citizens living in that neighborhood at that time,—few of them leaving even a representative of their families. There was Richard I. Murray, John McClure, John M. Moore—names that I will never forget. These, with 'uncle Joe Smith' and Henry Moore, and a great many others living there at the time, showed a kindness to my mother in her distressed condition at the death of my father, that has made an impression upon my mind that will last while memory asserts its prerogative. Three of the families named are to day represented in the persons of Esquire R. Allen Smith, Judge John C. and Capt. James H. Moore, and Mr. B. F. McCane. I could notice many other of the old settlers, but it would spin out these sketches too long.

Having noticed most of the successful aspirants for public place, it may not be amiss to call up some of the unsuccessful ones. There was Col. Jas. Wilson: he was Colonel of the Regiment of Militia that at that time embraced the entire county. He was regarded as a natural military man. I don't think I have ever seen a more martial-looking man in uniform on horse-back. His head was prematurely white. In 1833 he was a candidate for a seat in the Lower House, with fair prospects of success; but the young giant, William S. Taylor, heretofore noticed, bore off the prize. In a year or two, the Colonel moved to Mississippi and settled in Neshoba county. He lived to a great age. In 1877 I heard from him: he was still living, and was told he was then in his 98th year.

Thomas Thronton was several times an aspirant for the Legislature, but was never successful. He was rather more than ordinaryly popular, but somehow or other, he could not make it. I think it altogether safe to say that Mr. Thornton was the best-informed man in Fayette county. His general reading was very extensive. Well posted in general history. His political reading was rather of the partizan style. He was a Democrat of the purest water. The Washington Globe and then the Union were his political text-book, while he had great admiration for the ability and independence of the National Intelligencer. He yielded to no man in his adherence to and admiration of the principles of Gen. Jackson. Mr. Thornton still lives, in Fayette county. Is quite old. He has recently buried his fourth wife. He has the sympathy of all who know him.

George Longmire was for many years a candidate for one place or other in the county: several times for the Legislature. He was a little like they say of some race horses, 'just fast enough to bet on, but not quite fast enough to win.' He almost invariably made a pretty good run, but never got in before the flag dropped. His fellow candidates used to tell some amusing stories at his expense. He was six feet five inches in his socks,—and they used to tell it that in going around the canvass the good women, where he would stay would have to make down a pallet for him in the door of the cabin, so that he could extend his feet out of the door. His style of speech was unique;—incapable of being transferred. He was a wool-died Democrat, and thought the abomination spoken of by the prophet Daniel a very small thing when compared to South Carolina Nullification. He would open his speech on that subject after this sort: "Fellow citizens, —my name is OLD GEORGE LONGMIRE: when I was a boy, my father used to say to me GEORGE there was more tories in South Carolina in the time of the war than in all the other States, and fellow citizens, this Nullification is that same old root." In the forties somewhere, he moved to Mississippi, and I lost sight of him. Of course, he has long since gone to his final abode.

[The Tuskaloosa Gazette, November 4, 1886.]

CHAPTER IX

Judge Walter Harkins made one or two unsuccessful efforts to get into the Legislature. He was elected Judge of the County Court at the session of 1831 of the Legislature. He filled the office until sometime in the forties, when he resigned, perhaps from reaching his three score years and ten—the then Constitutional limit to the age of Judges in Alabama. He discharged the duties of the office to the entire satisfaction of the people. I don't think I ever heard an unkind criticism on his official conduct. As a citizen he was held in universal esteem,—never the less whenever the pool of political waters were troubled, there would be some one to step in before him. Judge Harkins died several years before the war. A son and daughter, who have lived to quite an old age—having never married—and several grand children represent the family name,—a name always remembered with pleasure by the citizens of Fayette county.

Manly Files was an aspirant for Legislative honors two or three times. He was a member of a large and rather influential family, whose influence was increased by intermarriages with the Rices, Freemans, Coles and Leas,—all families of good standing and influence. Manly was a man of very fine sense, splendid personal appearance, and of great physical strength, on which fact he was rather disposed to presume. He was popular with his friends, but they were not sufficiently numerous to insure his election. He was finally killed in a personal encounter with one David J. Hudson. Hudson fled the country, and there never was a trial for the homicide. I never knew the cause of the difficulty. A son of Mr. Files has for many years filled the office of Commissioner in Walker county, I think to the general satisfaction of all. In old politics Mr. Files was a Democrat. The Fileses of Mobile were relations of the same family. A nephew of his, Hon. A. W. Files, is a very prominent citizen and politician in Arkansas at this time.

William Freeman was, I think, three times a candidate for the Legislature. He always ran a long way ahead of his party, but owing to the fact that he was a true and out-spoken Whig,

the Democracy would manage to run in some Democrat a little ahead of him. If he had just been a Democrat he could have been elected with ease. But he was too honest to sell his convictions for even a seat in the councils of the State. Mr. Freeman, or "Uncle Billy," as everybody called him, was a farmer of extraordinary sense, and was possessed of fine conversational powers, and far above the average as a speaker among farmers. Then he was backed up by a character for religion, mobility, and general integrity that may well challenge the pride of his family to the remotest generation. I think it would have been regarded as a personal insult to every man in his neighborhood if any had even insinuated a charge of anything wrong against him. A year or two after the war the Master called for him: he had nothing to do but bid adieu to the loved ones left behind, and depart in peace. Mr. J. Hawkins Freeman of North Port is his only surviving son.

A. M. Nuckols was a candidate for the House in 1855. Mr. Nuckols had all his life been an unswerving Democrat,—but in this canvass he espoused the cause of the American party, and was defeated. He was a graduate of the University of Alabama, had devoted himself to teaching, which has been his principal calling ever since; but I was told that he acquitted himself handsomely on the stump,—ran somewhat ahead of his party but failed of an election. Mr. Nuckols still lives in Fayette county; is County Superintendent of Education of that county.

Col. James H. Harrington, in 1840, tried what a out-spoken Whig could do in Legislative aspirations. He was Colonel of the Militia, and as a citizen popular: but his politics was too much to carry in Fayette county. He never repeated the effort, and in a few years moved to Mississippi.

I omitted to notice two of the successful aspirants in the former numbers of these sketches. I will do so briefly now: Caralinas Boyd, whom your former types called 'Charles Brisler,' was elected in 1836 as the colleague of General Taylor. Mr. Boyd came to Fayette about the year 1829, and I was informed opened a Blacksmith Shop in connection with his brother. In the fall of 1831 he associated himself with Samuel Caple in running a SALOON. They were properly called at that time, "Doggeries." In the course of a year or two he opened one of his own

account, and continued in the business until his election. He served but the one session:—made a spasmodic effort at re-election in 1837, but fell far behind in the race. The next year he sold out and moved to Mississippi, and in a few years I lost sight of him.

Lawrence W. Brasher was a standing candidate, but was never elected, but in 1837. He sought a re-election in 1838, but like Mr. Boyd, in 1837, he was left far behind. In a year or two he too moved to Mississippi and disappeared from Fayette county politics.

There were several other unsuccessful candidates, but I do not now call them to mind.

The different offices in Fayette county were filled, as far as my memory serves me, as follows: Clerks of the Circuit Court, Robert J. Morrow, Daniel Peyton, William P. Murray, Alexander Cobb, Mark Russell, A. A. Summers, John C. Moore, H. M. Bell and Thos. H. Davis.

CLERKS OF COUNTY COURT

Daniel Peyton, James B. Morton, John C. Moore.

JUDGES OF PROBATE

John C. Moore, William P. Harvey, Beford H. Williams, (twice) B. W. Wilson, and H. Bell. Judge Bell was, in August last, re-elected over the party nominee, by a considerable majority.

THE OFFICE OF SHERIFF

has passed through various hands. I cannot call them all up now. I remember, however, Mark Meeks, Fleming I. Thompson, George M. Hubbert, R. H. Poe, John R. Kirkland, Moses Summers, James F. Morrow, A. A. Summers, Greene F. Harton, James H. Harton; and since the war, F. D. Enis, Joe Henry, F. M. Cain, and Thomas Goodwin. I might say something about these officers, but it might appear invidious, so I will refrain.

A SINGULAR CHARACTER

In the early days of Fayette county ,there lived a man that may be noticed in these sketches. He was known as "Military

Bill Wilson:" the name 'Military' being used to designate him from two other men of the same name in the county,—he being called "Military" from the fact that he lived on the 'Military Road.' The other two being designated by the creeks they lived on, to-wit: Mud Creek and Coldfire. Mr. Wilson was, perhaps, the wealthiest man in his day in Fayette county. He was unusually kind to the poor, and was highly esteemed by all who knew him. He was very plain in his dress always wore a linsey hunting shirt instead of a coat. His family lived in the highest style of the day and country. M. Wilson never sought office, and gave but little attention to politics. To say he was excentric would not express the condition. Still it would not do to say he was a 'crank,'—for no man had a more level head on any subject than he. He would sometimes leave home after breakfast just as if he was going to look after his far mor his cattle, and would be gone weeks and sometimes months before returning.—And when he returned if he felt disposed to tell where he had been, and the object of his absence it would be all right; but if he did not feel so disposed it was worse than useless to ask him any questions about it.

I will give one or two incidents connected with his life that will give the reader an insight into his singularity: The first is how he got away with the clock peddler. The peddler was perhaps, the first of his race who had penetrated the wilds of Western Alabama. Passing through the country he had heard of Mr. Wilson as the richest man in the county, and was making his way to his house with the view of selling him a clock. One evening as he was approaching Mr. Wilson's residence and had gotten in about a mile of his house, when he came upon a plain, or rather shabby looking man on the road side, with his rifle. The peddler inquired of the stranger if he knew whether Mr. Wilson was at home, and being answered in the affirmative, he said he wanted to sell the old gentleman a clock. The stranger at once desired to know what sort of a thing a clock was: said he had never seen one,—and fnially got the peddler to take one out and let him see it. The peddler set one up on a stump, and would make it strike. Every time the clock would strike the old fellow would dance as if could not contain himself—said he had never seen anything 'like it in all his born days.' They separated: the peddler taking the road to Mr. Wilson's residence, and on getting there, just imagine

his surprise and mortification to find the old fellow who had danced around his clock on the stump was none other than the rich man he had been seeking, and also to find a very fine clock in the house. Mr. Wilson came to his relief, laughed over the joke and gave the peddler the hospitality of his house and made his stay very pleasant.

ANOTHER INCIDENT

The next is how he played off on the wife of Mr. James Moore, the gentleman heretofore noticed in the Senatorial contest of 1832. Mr. Wilson called to see Mr. Moore, who was not at home, and it being about dinner time, Mrs. Moore invited him to dinner. He sat down to the table and commenced eating, when all at once he burst out in a cry. Mrs. Moore inquired the cause of his trouble. He told her he could not help it: just think that he was there at her house eating such a good dinner, and his wife and children at home without a thing in the world to eat. Mrs. Moore being very sympathetic and a woman of genuine charity, after dinner, got out a large ham of meat and told him to take that to his family. He thanked her very humbly, and said he had to go up to see a man above there on the road, but would come back and get it as he returned. A short time after he left Mr. Moore returned and Mrs. Moore related the circumstance of the poor man, how sorry she was for him. Mr. Moore asked what kind of a man he was.—She undertook to describe him. Mr. Moore soon recognized the original from the picture:—laughed and told his wife that her poor man could buy them several times and not feel it.

Many other amusing incidents might be related of Mr. Wilson, but these will show his character. He finally moved to Texas, where he died many years ago. His integrity was never called in question, and no man was more highly esteemed by his acquaintances, either rich or poor.

[The Tuscaloosa Gazette, November 11, 1886.]

CHAPTER X

DISASTROUS FROSTS

The year 1831 was remarkable for its cold and backward spring, which caused the crops generally to be very late. I think it was about the 14th of July, when we had the first cotton bloom.—However, the seasons set in by the middle of September there was a prospect of a fine crop, and farmers confidently expected at least a half a bale to the acre, but the morning of the 26th of September utterly blasted all hopes of that kind. On that morning came as heavy a killing frost as I have seen at any season of the year, and the cotton crop did not average much if anything over 200 pounds of seed cotton to the acre. There was, however, a pretty good crop of corn raised in the country.

A SEVERE WINTER

The winter of 1831-2 was very severe. Between Christmas and the first of January occured the heaviest sleet I have ever seen. There was for two days and two nights an almost continual popping and snapping of the timber; so much so it was considered dangerous to go into the woods, or even travel the roads. Large trees would become so top-heavy that the roots would partially give way and the tops rest on the ground. It is said that out in the hills some sign of this sleet may yet be seen. I do not, however, vouch for this. This spell was followed by four others of snow and sleet, each one being pretty severe. The sweet potatoes were all frozen, and there was only now and then a small patch to be seen the next year. In fact, it was two years before the country was supplied with seed. The first crop was entirely killed. The next disaster to the cotton crop from an early frost was in 1834. The frost was on the morning of the third of October; but was not so disasterous as the one in 1831. The cotton was more advanced, and the frost just one week later, which of itself is a considerable margin. That frost, however, caught a great deal of late cotton in the country, and rendered it almost useless.

THE METEORIC SHOWER

I suppose I might here notice something that occured in the elements that created not only a great deal of excitement, but in many a great deal of alarm. The first I will mention is that grand pyrotechnical—if I may use the expression display of the heavenly bodies that took place on the morning of the 13th of November, 1833. I allude to the "falling stars," as the people termed it. I did not see the exhibition,—which I have always regretted. But I feel safe in saying that nothing of the kind that has come under my notice during my entire life, created as much excitement, and as wide spread alarm, as did that exhibition of the fireworks of heaven. But to show how quick the alarm of such occurrences will pass off, I may relate

AN INCIDENT

connected with the occurrence. There were at Fayette C. H. and vicinity several young men who were in the habit of having their carousals of night. They happened to be in one on that night, which they had run into the hours of morning. They saw the 'falling stars,' which no doubt to them resembled the scene that followed the opening of the sixth seal. They all took the alarm and went rushing to the house of the Methodist preacher, who lived about a quarter of a mile from town, and roused him up and had him offer prayer; but alas! by Saturday evening they were all in their cups, and in each one joking the other about how bad he was scared. To off set this one, I may relate another one that was said to have occurred on one of the large river plantations in South Carolina. This one is a simple illustration of the

POWER OF FAITH

in the heart of the Christian. The story was told me about as follows:—On the plantation spoken of, there was an old negro man who was regarded as being very pious. When the alarm broke out on the quarter, the overseer and negroes were greatly alarmed and were running to and fro in great confusion. The overseer passing by the cabin of the old negro who had his family gathered around him and was encouraging them to look to the Saviour. The overseer asked the old man what he was doing there so quiet when everybody else was alarmed. The old fellow simply replied "I am waiting for the trumpet." I have

this through one who was a member of the South Carolina Conference.

SINGULAR PHENOMENON IN 1831

But I ought to have given precedence to another phenomenon that occured before the 'falling stars,'—I use that term because it was so used at the time. I allude to the singular appearance of the sun. This occurred in August, 1831, and for several days the sun presented a bluish cast,—even casting a bluish shadow. It was greatest on Sunday—which I think was the 14th day of the month. A very close observation revealed something like a spot on the disc of the sun. Many people looked upon it as the precursor of some great calamity—but it did not come.

THE GREAT ECLIPSE IN 1834

In October of 1834 occurred the great eclipse of the sun. I have witnessed a number of eclipses since that, but none to compare with that one. It was on Sunday. The day was beautiful. A clear, cool October day. The middle of the eclipse was about half past one o'clock. Many stars shone out brightly,—the chickens went to roost, and the cows came home,—giving us the appearance of night, when the sun was to be seen high up in the heavens.

A METEORIC SOUND

In the summer of 1835, there passed through the elements a roaring noise that was heard for many miles and many people were very much alarmed at it. I remember just where I was plowing at the time and heard it very distinctly, but had no conception of what it was. But many years after going to where I now live, in North Port, one night a large and brilliant meteor shot athwart the heavens, giving the very same sound that I had heard in the field when plowing, and my conclusion was that the noise I heard was the passage of one of those large meteors, but the light of the sun prevented its being seen. I, however, leave that to the realm of science.

INTERESTING INCIDENTS

I will here relate a series of occurrences, happening in Fayette county, that I suppose are very rare, if to be found any where else. I allude to five homicides: In that portion of Fay-

ette county, now embraced in Lamar county, covering an area of country not exceeding ten miles from extreme points, and embracing not more than ten of twelve years. One man killed his father-in-law, one killed his son-in-law, one killed a distant relation, one killed his brother-in-law, and one killed his uncle, and in all these killings there was but one of the parties engaged who was entirely free from the influence of whiskey when the act was committed. In most of them both parties were intoxicated. I witnessed the death of one of the victims. The difficulty occurred about one o'clock in the morning. I was camped with a wagon and team near by. I saw the men together about sunset apparently friendly. They were both somewhat under the

INFLUENCE OF WHISKEY

The man Bishop who was killed was a very stout man, rather disposed to be overbearing. The man Miller who killed him was a little under his size, and evidently unwilling to engage in a physical contest with the other. The two men had been card playing and drinking, when a dispute arose between them. Miller started off and Bishop followed after him; was warned not to pursue but persisted. Miller shot him with a large derringer, the ball entering just below the left nipple. I heard the pistol fire, and in a few minutes saw a man going by for the Doctor, who told us of the tragedy. Several of us went up to the place where we found the dying man on the side of the road under a tree. I will not describe the scene. The moaning of the man was

TRULY PITABLE.

His constant cry was, "Warm me, boys; warm me." About 3 O'clock he expired. A few minutes after his wife came in, and I will simply say that her appearance beggars the power of the poets pen to describe. May my eyes never witness another such scene. But to follow the case: The next morning Miller came in and surrendered himself, and if ever I saw a man in whose face was blended gloom, despair, remorse, misery, and every other feeling of unhappiness, he was the man. In other words, he was the most miserable and despondent looking man I have ever seen. This may be fanaticism, but it is nevertheless true. I have been told that in after years, when in liquor, he would go to the grave and call to Bishop to get up, that he would give him a fair chance.

[The Tuskaloosa Gazette, November 18, 1886.]

CHAPTER XI

MY FIRST EXPERIENCE IN A COURT ROOM

The first time I was ever in a Circuit Court, was in the fall of 1836. I was then in my twentieth year. The court was held by Judge Peter Martin, who was the first Circuit Judge I ever saw. I went into the court room to witness the trial of an old man over eighty years old, who was indicted for the murder of his son-in-law. When I got to the Court House, the Court was engaged in trying a prominent citizen for the offense of resisting an officer in the execution of an Attachment. The State was represented by William W. Capers and the defendant by Lincoln Clarke, who was considered THE great lawyer of the Bar. I allude to this case to show what idea an uninformed people will sometimes have of the meaning of words, and their application to the case in hand. In that trial one Dr. P., an old man, was leading witness, and made out a very clear case against the defendant. In commenting on the testimony of the different witnesses for the State, Mr. Clarke took up the testimony of Dr. P—whom he spoke of as a "venerable old graduate." As soon as Court adjourned for dinner you could hear the question asked by almost everybody you met, and the question was about this: "Well, did you JUST hear how that LAWYER give it to old Dr. P—? Why, he just called his a "VENERABLE OLD GRADUATE."—The saying was rung all over the court yard, and was thought by the crowd to be about as severe as anything the lawyer could have said, unless he had called him 'an old NULLIFIER,' which phrase, at that time, was considered as embodying about all the odium that could attach to a man. In fact, many a "Georgia Rotation" was tracable to the use of that term by one person in regard to another. But the defendant was convicted.

TRIAL OF THE OLD MAN

As soon as that trial was over, the murder case was called. The old man (defendant) presented a very feeble appearance, and it was to me, young and inexperienced as I was, a very sad sight to see one so old and frail as he was arraigned on such a

charge. The first thing done was to arraign the defendant. I was struck with the peculiarity of the indictment. After the arraignment and plea of 'not guilty,' the State announced 'ready for trial' and the defendant did likewise. Then came the selection of the Jury. I will here state the formalities used in selecting the jury, for the purpose of showing how far the Courts of the present day depart from the earlier practice in that particular:—And I here remark by way of parenthis, that it is at least questionable, whether or not in our effort to simplify we have not gone to the other extreme, and to some extent detracted from the dignity that should appear in our courts on such important occasions.

BUT TO THE TRIAL

When the first juror was sworn, he was required to put his hand on the BOOK and swear to answer questions as to his competency. The Judge then propounded the questions to him and received his answers. The juror being competent he was put on the slate. If received, the Judge then directed the juror to again put his hand on the BOOK, and then said to the juror and the prisoner, "Juror, look on the prisoner:—Prisoner, look upon the juror:" and then came the inquiry from the Judge,—"DO YOU LIKE HIM," The juror was then either accepted or rejected by the defendant. In this case, although the life of the defendant was involved, there was not a single challenge either by the State or defendant,—a thing I have never witnessed since. There was but one issue made in the trial and that was the issue of self-defence. The trial lasted about six hours, and run considerably into the night.

VERDICT—NOT GUILTY

The jury were out just long enough to write up a verdict of 'Not guilty,' and the old man was discharged. In a year or two thereafter he died. The State was represented by W. W. Capers and Lincoln Clarke. The defendant by Wm. Cooper of North Alabama, M. D. Williams, of Tuskaloosa, B. W. Wilson, of Fayette C. H.,—Boykin of Columbus, Mississippi. They all made arguments to the Judge. I thought Mr. Cooper made the prettiest speech I had ever heard, and I have not changed my mind since. Mr. Clarke closed the argument in behalf of

the State, and to those who knew him in that day, I need not say it was an able one. There was, however, one rather remarkable declaration in the argument. It was this: After a summing up all the points, showing that the defendant was guilty, he said to the jury in substance: "But, gentlemen of the jury, suppose you should make a mistake, and find this old man guilty, you will not have cheated him out of many days." The words were no sooner uttered than Judge Martin interposed with, "Mr. Clarke! Mr. Clarke! you must not make that argument. If this old man is not guilty he is entitled to a verdict of acquittal if he dies to-morrow." the reader will understand that at that time the penalty for murder was simply death.

TWO OTHER IMPORTANT TRIALS

There have been in Fayette county six persons executed under sentence of death by the Courts. The first occurred on Wednesday the 20th day of June, 1832. The victim of the law was a negro man, who was convicted of an attempt to forcibly violate the person of a young white woman. The evidence was as to the identity of the defendant, which was, to a considerable extent, circumstantial. The only positive testimony was the lady and her sister, who swore that they recognized him by the dim light of some burning coals in the fire-place at the time. The women were both of excellent character, and of good family. There were several circumstances tending to show the defendant's guilt. The negro belonged to a very influential family, of considerable wealth, for that day. The family did not believe him guilty, and used every effort to save his life. Peter Martin was employed to defend him, but the jury, composed mainly of the best men of the county found him guilty. After convicting strong efforts were made for Executive clemency, and a large petition was gotten up for the purpose. On the other hand an overwhelming counter petition was sent on to the Governor to prevent his exercise of the pardoning power. The first day set for the execution, I suppose brought to the Court House

THE LARGEST CROWD

that had ever assembled there before. The defendant was carried to the place of execution,—was in the cart, ready to undergo the sentence of the law.—He there protested his innocence. After this the sheriff proceeded to discharge the painful

duty of his office: had made fast the rope,—adjusted the cap, —and was on the ground ready to drive off when one of the family handed him

A RESPITE FROM THE GOVERNOR,

postponing the execution for three weeks. The day was cold and drisly—and I will not attempt to describe the scene of carousal that followed, for the simple reason that it can't be done. After two more short respites the defendant was finally executed, as before stated. The last word that he ever spoke was a protestation of his innocence. That was the first and the last execution ever witnessed by me,

MURDERED IN THE PUBLIC ROAD

The next was three negro men who were executed for the murder of their young master, a Mr. Swearingen, thirteen miles south of Fayette Court House. The family were moving from Georgia to Mississippi. The negroes had ran away from the camp and gone back to Georgia. The young man had gone back after them,—had them all hand cuffed together, and had them going before, while he was riding on horseback behind. One of the negroes discovered that he could slip his hand out of the cuff, and they conspired to murder him. When he rode up, one of them asked him for something, and when in the act of handing it to him, he was caught and pulled off his horse, and right there, in the public road, not more than a quarter of a mile from a public house, about mid-day, they murdered him. Of course, no effort was made to save them, and they very soon suffered the penalty. This was in the early part of the year 1835.

The next was a negro woman for the murder of her mistress, an old lady.

THE NOTED CASE OF WM. KIRBY

The last was William Kirby, a white man, who was tried and convicted for the double murder of his father and brother, in Pickens county. The trial was moved to Fayette county upon a change of venue. The State was represented by the Solicitor, A. E. VanHoose and ex-Judge A. B. Clitherall. The

defendant by Judge Thomas M. Peters and Col. John T. Terry, now of Birmingham. The evidence disclosed the fact that without any apparent provocation, the defendant, with a double barrel shot gun, loaded with buckloads, discharged one barrel on his father and the other on his brother, killing them both on the spot. Each of the counsil engaged argued the case well. The argument of Col. Terry for the defense, considering the almost total absence of any evidence upon which to predicate a defense, was very ingenious, and elicited favorable comments from everybody who heard it. Judge Clitherall closed for the State in a speech that was both logical and eloquent. The burden of his argument was an appeal to the jury to inflict the death penalty, as nothing short of that would satisfy the demands of an outraged law; and the jury so decided.—An effort was made to get the Governor to commute the punishment, but he declined to interfere, and the sentence was executed on the day set by the Circuit Judge.

After his death a confession was published, showing a family fued of many years standing, growing out of most unnatural causes. How true, they will never be known in this world. But I will close this dark chapter.

"THE FLUSH TIMES" IN THE NEXT.

[The Tuskaloosa Gazette, December 2, 1886.]

CHAPTER XII

WHAT A CALICO DRESS COST

From 1828 to 1833 the times were stringent. The price of cotton ranged from 6 to 8 cents, and money was scarce—while most of the articles of necessity were high. Coffee from 4 to 5 pounds to the dollar: very common sugar 6 to 8 pounds,—salt $3 to $4 per sack. I remember very well when salt got down to $2, in winter of 1834-5. A prominent farmer in Fayette county came to Tuskaloosa and bought two or three hundred sacks on speculation,—with a view to holding it until it would rise. In June following the man died and his administrator sold the salt before there was any material rise. Brown domestic from 35 to 37½ cents a yard: calico from 50 to 75 cents. I remember on one occasion being with my father in North Port, where he was laying in his year's supplies. The merchant proposed to sell him a calico dress each for my sisters, who were growing up to womanhood. Father plead his inability and fears about making his bill too large, etc. The merchant replied, "I will sell it to you so cheap that you can't resist it." At the same time showing his some, and said, "I will sell you that at the low price of 43¾ cents a yard," and the dresses were bought. This, however, was after the rise in cotton. In the fall of 1833 the price of cotton began to advance and ran from 11 to 13 cts. and continued to rise until it culminated in 1835-6, at 17 to 20 cents. I remember my father sold his little crop at 18½ cts. In the fall of 1836 the price opened at 14 to 15 and stood at about these figures until 1837, when there

CAME A TREMENDOUS CRASH.

Down went cotton in a short time to 10 cents. From the fall of 1833 to the latter part of 1837, began and ended what has since been characterised as "The Flush Times."

UNLIMITED CREDIT

I suppose there has rarely, if ever, in the history of any country, been a period of such unlimited credit. The plow-boy, scarcely out of his "teens" could go to the store and buy his Broad-Cloth Coat, Velvet Vest, Cassimer Pants, and Hat and

Boots to match. I know this to be true, for I did it. In fact, almost any one who desired it could get credit for anything he wanted, and without any restriction as to amount. Of course, to meet this unlimited credit, increased facilities had to be supplied. This was done by a vast system of

COUNTRY MERCHANDIZING.

At almost every cross road in the country you would find a store, and these country stores were filled almost exclusively with dry goods: all of which had been bought on a credit. Men without a dollar of capital, would let go the plow handles, throw off the 'Jeans,' dress up in 'Broad Cloth' and turn merchant. But this was not to be wondered at, for it cost nothing to make the change. They bought their goods on a credit, sold them to the people just as carelessly as the city merchant had sold to them. And so the thing went on through the years of the 'Flush Times.' A few of the more prudent of the farmers, who were not carried away with the idea of an era of continuous prosperity and who simply bought what they couldn't well do without would pay up, which gave mere semblance to solidity to the trade. But as all things must have an end, so there was an end to the "Flush Times." But it may not be out of the way to state the fact, that as an incident to this almost unlimited system of trade, every one, or nearly so, who had embarked on this ship of fortune, at once

BECAME A BANKER,

and not only run their banks of discount, but without any authority of law, became bankers of issue. Their issues were of the denomination of 6¼ cents, 12½ cents, 25 cents, 50 cents and occasionally as large as $1. These bills were payable in bills of what was termed regular Banks, when presented to the amount of $5.00. In most cases the currency in which these small bills were redeemable was just as worthless as the little bills themselves; consequently, there was seldom anything like a 'run' made upon the Bank issuing them. There was now and then

AN EXCEPTION TO THE RULE,

and in a few instances parties issued these change bills in good faith, as a means of furnishing the people with change. Instances of this kind occurred in Tuskaloosa, as in that of Robert

Jemison, Henry A. Snow, John O. Cummins and James Hogan, who supplied the community with change in the shape of small bills,—every dollar of which was redeemed in good faith. But the rule was otherwise. There was a very plausable reason given for the issue of this currency. From some cause the Whigs charges it upon General Jackson's specie circulation. All the gold and silver in the country had disappeared,—to use a common saying, it had "gone into a hole and pulled the hole in after it." The sight of a Silver Dollar, or a Five Dollar Gold piece, or even the fractional coins were rarely if ever seen. It was to fill this vacuum that these small bills were issued, that is, by the few who issued and redeemed them in good faith.

But I said there was an end to these "Flush Times." The ides of March in 1837 disclosed the fact that the whole business was a mere bubble on the surface, which had been inflated to the bursting point: that it was a huge Castle, built upon an imaginary foundation, and the foundation giving way the whole superstructure fell with a

TERRIBLE CRASH—

a crash that shook the continent of commerce from Boston to New Orleans. The people failed to pay the country and town merchants. These merchants failed to pay the City merchants: the City merchants failed to pay the Jobbers and Importers failed to pay the Manufactures: consequenlty it was an almost universal failure. The failures were not mere suspensions of payment, with the prospect of resuming again, as soon as the shoal was tided over, but it seemed to be regarded every where as a

STRAIGHT OUT BREAK.

People did not speak of this man or that firm as having 'failed' or 'suspended,' but they spoke of them as bein 'BROKE,' and every body seemed to understand the situation. There seemed to be very little sympathy with each other on account of the failures, for the reason that few people believed that there was no need of it. It was simply a wide-spread breaking down of the wild speculation of the country,—a speculation that really cost nothing but the imaginary fortunes of the speculators,—which in most cases existed only in the imagination. In all the region of country between the Warrior and Bigbee Rivers, I do

not know of but one single country merchant that stood the storm,—Cornelius Blankenbaker. He would not

GO IN DEBT, OR SELL MUCH

on a credit,—Consequently, he did not fail. I do not now call to mind but one single house in North Port that weathered the storm, and that was the Snows. Tuskaloosa, comparatively, was almost as bad, but I cannot say how many houses escaped. There was one peculiar feature connected with these mercantile failures. It was the facility with which Clerks, without any capital, were transformed into large merchants, and in every case buying out the large establishment of their employers. Clerks of to-day, on moderate salaries, would to-morrow walk out upon the street as the proprietor of the large store,—while the former proprietor took his place behind the counter as clerk. There was no change in the manner of the business, and if even an inventory of the goods were taken, the fact war rarely if ever disclosed. The whole thing seemed to have been accomplished by a short advertisement in some newspaper stating the fact of the sale to the Clerk, and recommending him to the

CONFIDENCE AND PATRONAGE OF THE PUBLIC!

The distance was so great that the people were clamerous for relief, and they really knew not where to look for it. In June 1837, Gov. Clay, convened the Legislature in extra session in order to devise some means of relief. After much deliberation it was finally decided to issue state bonds to the amount of five million dollars, as a basis of Banking capital by the state Bank and branches, to enable the banks to accommodate the citizens and help them out of their embarrasments. There was a limitation on the amount to be loaned to any one person or firm, that limit I think was

TWO THOUSAND DOLLARS,

and the accommodation was to be extended to each county according to its population. The money was to be paid in three annual installments which was subsequently extended to six. Had the people received and acted on this legislation simply as a measure of relief, and only borrowed enought from the banks to relieve them from their pressing demands of the times, it would have been a very great relief, thousands did that and found it very beneficial to them. But the very act intended

to relieve the people, was seized upon by thousands as opening up new avenues of speculation. Consequently every person who desired to speculate and who could make such a note as he could get recommended would go in for the full amount allowed, and thousands of them did not stop at that, but would get every man they could, to loan the use of their names to get more money under the surmise of paying their debts, as the different installments became due. In this way the indebtedness of the bank became almost as universal as the

INDEBTEDNESS OF THE MERCHANTS.

The result was that thousands upon thousands were lost to the state, through the default of those who either loaned their names or borrowed for the purpose of trade or speculation. This caused a hue and cry against all banking institutions, they were charged with all the pecuniary troubles then afflicting the people. The Democratic party set itself against banks generally, and even as late as the session of 1847. I think it was, that the senate passed a resolution receiving the entire Democratic vote, that it was inexpedient for the Legislature to charter any bank. But two years thereafter a charter was granted for a

BANK AT MOBILE,

and one at every session thereafter until the beginning of the war.

But suppose we examine, and see if the banks were properly chargeable with the loss to the state, that was charged to them. It is true, millions had been loaned out that never came back, and the loss had to be met by taxation. But before we put the blame on the banks let us see whether or not they are entitled to any credit on this large account. I will not here undertake to strike the balance, for I have not the data to do so, but I do know that for many years the banks paid the entire expenses of the state Government, and in addition aided very largely in sustaining the common schools of the country.

[The Tuskaloosa Gazette, December 16, 1886.]

CHAPTER XIII

Walker County was first entitled to separate representation in 1834. I am not advised as to when the county was organized. Some two years before the county was separately represented, I remember meeting with a candidate for the position. His name was

ELIJAH HUDSON

I saw him over in Fayette county. I remember it was said of him at the time, that he said in order to prevent any bad reports that might be started against him, he would himself tell the meanest thing he ever did. He said that in the early days of the county, he and several others had been engaged in cattle stealing from the Indians and whites; that they had accumulated a large drove and carried them to Tuskaloosa to market. When they had gotten within two or three miles of town he left his partners in charge of the cattle out in the woods, while he would go over the river to see whether or not the way was clear. After being gone sometime he came back to his company, with his horse at full speed, shouting to his comrades to clear themselves, that the owners of the cattle were in town and would have them all in Jail directly. He said he dashed by the herd without noticing them. His partners took the alarm, struck a bee line for the mountains and were soon out of danger. That as soon as they were gone, he dodged back, herded the cattle over to Tuskaloosa, sold them for a good price, pocketed the money and went home. He said if any of his opponents could start a meaner report on him than that they were welcome to try it.—Some ten or twelve years ago I was relating the story to an old citizen of Walker county, about as I have stated it. The citizen laughed and said there was a great deal more of truth in the story than 'Lige' would have liked for the people to believe. However, he was not elected, and I never afterwards met him.

From Garrett's Book it appears that in 1834 and 1835 Walker county was represented by Solomon B. Patton. I know nothing of the history of Mr. Patton and must therefore pass him by.

AN INTELLIGENT FARMER

In 1836 Eldridge Mallard was elected. He was elected again in 1839 and also in 1840. Mr. Mallard was a very intelligent farmer and keeper of a very popular house of entertainment on the Bykler Road. He was a man of fine personal appearance, and of popular manners. He was a Democrat of the Andrew Jackson school. In fact at that day, in that county, Jacksonianism was Democracy. His family were much more stylish than the people of the county generally, and this fact gave his very plain common sense oponent, James Cain, the advantage in their contest for the Legislature.

BEATEN IN TWO RACES

In 1841 and 1842 Mr. Cain defeated him in two straight races. This was the more remarkable from the fact that Cain was a decided Whig and the county largely Democratic. Of Mr. Cain I will speak further on. A few years later Mr. Mallard moved to Texas, where he died. His oldest son, John, was a promising young man. He studied law and was admitted to the practice in Alabama:—moved to the Lone Star State and was fast rising to distinction in the profession, but death which always loves a shining lark, cut him off, and here the curtain falls.

JAMES CAIN

was elected from Walker county in 1837, 1841, 1842, and again in 1847. This was the last of his public life. Mr. Cain was a plain, well-to-do farmer.—He made no pretentions to public speaking, but in general conversation he was very strong, just suited to the people whose suffrages he was seeking. These qualities made him a very formidable opponent, and notwithstanding he was a decided Whig, he was rarely beaten, even in the strong Democratic county of Walker. Mr. Cain was in every sense of the word a man of the people,—a kind neighbor and deservedly popular. When I first knew him he was in easy circumstances, free from pecuniary embarrassments, but by indiscriminate and unlimited endorsements for a mercantile son-in-law he became very much entangled, which threatened the entire loss of property. But his indomitable energy never forsook him, and he was fast gaining and in a few years would no

doubt have saved all. But, alas! the war came on and swept away his negro property, and the old man was compelled to yield. To my certain knowledge he unresistingly paid a larger amount of security debts than any one I ever knew, according to his means. A few years ago he died, in his eighty-seventh year. I suppose I may add, having outlived his enemies, if he ever had any.

In 1843 Walker county was represented by John E. Clancy, a rather

ECCENTRIC YOUNG LAWYER,

who served but the one session. He was very fond of display, and really thought himself an orator. I will not say how many agreed with him in that opinion. He was a very earnest Democrat and believed that Mr. Clay was the embodiment of all that was repulsive in politics. He was however far in advance of his party on the subject of intenal improvements. He made his big speech in the house in favor of internal improvement by the State. The speech was a unique one and caused a great deal of merriment in its delivery, and was published in most of the papers of the State as a specimen of mountain eloquence, accompanied by comments not over complimentary. By what was thought to be the extreme of vagaries at that time would not now be looked upon in that light, and many of Mr. Clancy's speculative ideas are to day expressed in less bombastic style as the true policy of the State. After the expiration of the term he engaged in merchandizing, in which he was unsuccessful. He went to Tuskaloosa to sell some cotton, and after selling it he missed the road leading back to Walker and was never afterwards seen in that county and long ago I lost sight of him.

LAMBERT W. BAKER,

a Whig, slipped in between two Democrats from Walker county in 1844. He served but one term and in a few years left for the far west, and disappeared from Walker county politics. In 1845

GENERAL JOHN MANASCO

made his debut as a member of the House from Walker county. He was subsequently elected to the same position in the following

years, 1949, 1851, 1853, 1863, 1865, and once or twice since reconstruction. He was also elected to the constitutional convention of 1875. In all these positions he was watchful and faithful to the trusts reposed in him, according to his ideas of the duties and powers of government. He was and is a Jeffersonian and Jacksonian Democrat; considers the Alabama or constitution of 1819, the next thing to the perfection of human reason. He very closely adheres to the doctrine that, that people is governed best who are governed least. Consequently he has generally opposed all kind of restrictive laws, and especially those restricting the sale of intoxicants, not so much on the grounds that he really advocates the sale, but on the grounds that it is an unauthorized limitation in our personal rights. In 1860 when the storm-cloud of sectionalism was lowering over the country, and when the hearts of many of the true lovers of his country stood APPALLED at the prospect, General Manasco espoused the cause of Stephen A. Douglas, as the representative of the true Democracy of the country, and whose election would be more likely to avert the pending storm than that of either of the other candidates. And, after the election of Mr. Lincoln, he was opposed to secession until it became an accomplished fact. But when the fact was accomplished and the contest was inaugerated, the South had no truer friend and supporter than he. After the war was over, he took the true conservative ground that it was the duty of all good citizens to throw their influence in the scale of law and order so that the country would be restored to civil authority at the earliest practical period. But while this was his position he had no words with which he could adequately express his contempt and loathing of the carpet-bagger and scalawag. General Manasco still lives in Walker county, I think his eighty-fourth year, highly respected by all parties. One remarkable fact connected with the history of the General, is that notwithstanding he has always been a decided partizan and always spoke his sentiments without reserve, he made but few if any personal enemies.

I take pleasure in saying that during an intimate personal acquaintance of nearly a half century, and always up to the war in sharp political antagonism, still there never was a time when we met otherwise than as warm personal friends. Much more could be said of this aged commoner; but I have not the time to say it.

[The Tuskaloosa Gazette, December 23, 1886.]

CHAPTER XIV

Walker county was represented in the House by John Irwin. Mr. Irwin was clerk of the county court, and when the Probate system was inaugerated, he was elected judge of probate. In 1853 he resigned and ran for the legislature against Gen. Manasco. The contest was an exciting one, both candidates being democrats. Judge Irwin was successful. I do not now remember his majority. His habits were by no means regular, but I think he maintained himself very well during the session. I do not remember that he was ever afterwards an aspirant for public position. A few years after his election he died in the county.

WILLIAM READ

was elected in 1857. He was a very plain farmer, and quite modest. He had a few local bills to get through. None of them needed any discussion. If they had, he would not have been wanting in speaking friends to aid him. No man in the house was more respected than he was. He was courteous and obliging to all, and every man was his friend. A few years afterwards he died.

JESIAH M. EASLEY

Answered to the call of the roll in 1859. The contest was with General Manasco. The gentlemen both took the stump and were pretty good speakers. Gen. Manasco had experience, and Mr. Easley was quick and rather sharp. When the vote was counted Mr. Easley was counted in, but by a free ballot and fair count. He had been a Whig, but as the old party had passed away, no question of old political affinities was raised. Mr. Easley served out the regular session, and then moved from the State. His brother-in-law, Francis A. Musgrove, was elected to fill the vacancy, and served during the first called session of 1861. I think I say than in less than a week he was on intimate terms with almost every member of the House, and almost all of them called him "Frank." When the war came up he entered the Confederate army. He finally obtained an official position in Reid's cavalry, in which he served until the close of the war. A few months afterwards he unexpectedly died. His family, con-

sisting of his widow, two sons and two daughters, are still living in the county.

SINCE RECONSTRUCTION

Walker county has been represented by W. J. Stubblefield, D. C. Miller, E. D. Kelly, John C. Hutto, B. M. Long, B. F. Fingle, and John B. Shields. These are all living except Dr. Miller, who died last year. Shields was a saw mill man. He was a candidate for the House the year Hutto was elected and contested the seat of Maj. Hutto in the House. The grounds of the contest grew out of the uncertainty of the county lines. Maj. Hutto having the certificate was seated, and the House refused to unseat him. The action of the House was very offensive to the friends of Capt. Shields. I am not sufficiently posted in the facts to give an opinion on the justice or injustice of the decision. Capt. Shields now fills the office of probate judge, having at the last election been elected over the incumbent, Hon. F. A. Gamble, who beat him six years ago.

DR. MILLER

was a physician of long standing—was a man of good sense and fine feeling, and but for one drawback would have occupied an exalted place in the country. That drawback was his irregular habits. I speak of this with sorrow, for I always felt kindly towards him and his family.

B. M. LONG

was and is an extensive merchant. He is a man of extraordinary sense, of high character—strong in debate, and perhaps the most popular republican in the congressional district. He ran against Hon. J. H. Bankhead for congress at the last election, and tho' defeated by a large majority he made a much better race than was first expected of him. In the House, though standing almost alone politically, he commanded the respect of the entire body. Capt. Long still lives in Walker county.

CAPT. KELLY

Was very well received in the House as a modest, unpretending member, bringing to bear his native good sense on all occa-

sions. This fact, in connection with his general courtesy, made him highly respected by the citizens generally.

MAJOR JOHN C. HUTTO

Served but the one session. His course gave very general satisfaction, and I have never heard of unkind criticsm of his action in the legislature. He lives on his farm and is regarded as one of Walker county's best citizens.

B. F. TINGLE

succeeded Maj. Hutto, beating the Democratic nominee, L. B. Musgrove.—The contest was rather exciting, tho' conducted on high-toned principals. Mr. Musgrove was editor of the Democratic paper. He came out in a very handsome editorial admitting his defeat and gracefully bowing to the will of the voters of his county. On Saturday morning after the election it was found that the Sheriff's office had been opened the night before and a majority of the ballot-boxes stolen. This fact created quite a sensation and as a natural consequence many things were said in regard to it, that would have been best unsaid. One civil suit and a number of indictments grew out of the occurrence, but neither of them amounted to anything. The boxes were finally found in the public well. What inducements there could have been for stealing the boxes is at best a puzzle. No advantage, either political or pecuniary, could have been derived from it. The strong probability is that the act was done for the sole purpose of creating the sensation that followed it. Mr. Tingle served but the one term, and is still in Walker county. I am not sufficiently acquainted with him to speak of him as a public man, but I will say that all I have heard of him is that he is a respectable citizen.

THE FIRST PROBATE JUDGE

of Walker county was John Irwin who has been heretofore noticed. The second was Thomas M. Gabbert. He was a faithful officer, and I think gave general satisfaction. He was a minister in the Baptist church, and a most excellent man. As a Christian he was liberal towards other denominations. After retiring from the office he engaged in merchandizing, and but for the War would no doubt have been successful. But the War! How many commercial wrecks did it make? Mr. Gabbert

died some years after the War, highly respected by all who knew him.

JUDGE F. A. GAMBLE

Judge Gabbert was succeeded by Judge F. A. Gamble, who held the office for one term, and in 1862 was succeeded by Moses Camak. Of Judge Gamble it would seem almost unnecessary to speak. He is so well and so favorably known, not only in Walker county, but in almost every county in North Alabama, and wherever known, regarded as one of the foremost men in the country in all the elements that go to make up the true man and good citizen. Judge Gamble has been twice elected: one time appointed,—and twice defeated in his aspirations for the office of Probate Judge. But in each case of his defeat it was politics and not a want of confidence in his integrity.—Judge Gamble is a local preacher in the Methodist church, and does a great deal of good in that way. I could fill pages in compliments to the Judge, but as he is still living, and I do not wish to offend his modesty by bringing him too prominently forward.

JUDGE MOSES CAMAK

The third Probate Judge was Moses Camak. Mr. Camak was an enterprising man; perhaps more so than his means justified. He was a merchant before the 'Flush Times,' and of course did not escape the effects of the revolution that followed. He became embarrassed, and the struggle of his life was to meet the obligations that these embarrassments had put upon him. He could easily have wiped it all out by availing himself of the benefits of Bankrupt Law, a course he was advised to pursue, but he preferred to struggle on, which he did for more than thirty years. At the breaking out of the War he had just thrown off the last load of the burden. It is needless to say anything about the effects of the War on the prospects of the Judge. These effects were too common to be applied to any special case. In all this struggle of Judge Camak with his embarrassments, he never lost sight of the highest grade of integrity. No creditor or lawyer ever hesitated for one moment to confide in any promise made by him regarding his business. I know whereof I speak.

As Judge of Probate he gave general satisfaction. Good sense and honesty were his governing principles, and guided by these he rarely went wrong. To all the other good qualities of Judge Camak we may add he was an humble and devout Christian. He died a few years after the War universally respected.

CHAPTER XV

JUDGE JOHN BROWN

The next Probate Judge of Walker County was John Brown. I think he was a native of the county—if not, he came there when quite young. He was first elected Sheriff and held the office until the election of 1867 under the reconstruction measures when he was elected Probate Judge. He held the office for one term only. As Sheriff and Judge of Probate he was regarded as a faithful public officer. He was perhaps a little more brusk or abrupt than was necessary or that was entirely agreeable to his friends. In office he was courteous to those having business to transact. Always ready to give any information desired. His official business was done in a very plain style, but generally correct. His integrity was never called in question. He would doubtless have stood for reelection, but his failing health admonished that his days of active business were drawing to a close. In politics Judge Brown was an original Democrat. I am not positive, but I think it was in 1860 he supported the Douglass wing of the party, for President and after the election of Mr. Lincoln he opposed the secession of Alabama from the Union and aided in the election of Reverend Robert Guttery to the Convention of 1860, not as a cooperationist, but as a straight out Union man. After the war he united with the Republican Party and was a very decided partisan, ever ready to proclaim his sentiments and to defend them with all the ability he possessed. A year or two after he retired from office and died leaving the legacy of an honest name to his children.

JUDGE JACOB R. SHEPHERD

In 1874 the main contest for office of Probate Judge of Walker County was between D. L. Stoval and Jacob R. Shepherd. The friends of each candidate strained every move in order to elect their man. The final count showed a majority for Mr. Shepherd. He went into the office an almost entire stranger to the business but being actuated by a general desire to do right and getting pretty fair assistance, he was getting along very well and giving general satisfaction.—But death interferred, called for him and he had to yield. Judge F. A. Gamble who has been previously noticed was appointed to fill out the unex-

pired term. The foregoing gives my entire recollections of the office of Probate Judge of Walker County. If anyone else held the office I do not now recall it.

CIRCUIT CLERKS

I do not know who was the first Circuit Clerk of Walker County. If I am not mistaken the office was at one time filled by Mr. Ryan who I understand was a very competent officer and very popular with the public. The first I got acquainted with in the office was

COL. GRIFFIN LAMKIN

When I first knew him he was quite old and infirm. He was really too feeble to keep up with the court minutes, but his popularity with the members of the bar was so great that he found no difficulty in finding someone to write them up. If the old records could be found the minutes would show that Peters, and Powell and Van Hoose contributed largely towards making up the records. Col. Lamkin was a very high-toned gentleman—was once in affluent circumstances, but his fortune fled and he was left to work his way through old age as best he could. He represented Madison county in part at the session of 1819—the first session held under the first Constitution of the State. At the term of the Circuit the old gentleman felt that his fast declining health called upon him to resign,—which he did. A meeting of the Court and the Bar passed some very complimentary resolutions in regard to him. The gentleman appreciated the action very highly. I remember the scene very well and there were more than one pair of moistened eyes on the occasion. I never met the old gentleman after that scene. In a short time he went the way of all the earth. Peace to his memory.

D. L. STOVALL

Col. Lamkin was succeeded as Circuit Clerk by D. L. Stovall who held the office for many years. Mr. Stovall was one of the best Circuit Clerks I have ever met. No member of the Bar ever felt any concern about the record of his case while Lewis—as we called him—was at the Clerk's table. I think I speak the

truth when I say the entire Bar practicing at Walker regretted his retiring from the office. He still lives in Jasper engaged in farming and merchandizing. He has raised an interesting family. One of his sons stands very high in the medical profession and is regarded as one of the rising young men of the country; all of which is the simple result of untiring energy and unswerving integrity. But lest I cause a blush to mantle the modest cheek of some member of the family, I will refrain.

THOMAS P. LAMKIN

son of the old Clerk, also filled the office for one term since the war. He was a young man—made an excellent clerk. Mr. Stovall lives in Jasper—a highly respected citizen.

CHRISTOPHER SCOTT

a highly respected young man was elected to the office six years ago and bid fair to fill the office well. But he had scarcely gotten himself well in harness when death put a period to his life. Chris was a general favorite and regarded as one of the most guileless young men that had ever lived, in the county. Notwithstanding he was called away in youth, the call was anticipated by that preparation that robbed death of all its sting and the grave of all its victory.

JOHN B. HUGHES

was appointed to fill out the unexpired term of Mr. Scott. I scarcely know how to write about John, having known him intimately and favorably from childhood, and been intimately acquainted with his parents and grandparents on both sides, all of whom commanded the respect and esteem of all who knew them. I might be considered as rather partial in even starting the facts concerning him. However, it may be said of him that all the elements of character necessary in making up the true man and good citizens were found in him. He made a very fine clerk. He still lives at Jasper, universally respected.

SHERIFFS

I was not acquainted with the early sheriffs of Walker County. I knew Joseph Allen, who was one of the early ones. He

was a plain farmer who filled the office but one term, but I cannot give the date, nor do I know enough about him to say more about him.

SAMUEL E. COONER

was twice elected sheriff of the county. He was a farmer of good practical sense, kind as a friend and neighbor. And was far above the average as an officer. I do not think his integrity in office was ever called in question. It was Mr. Cooner who executed the sentence of the law on Lott M. Franklin when he had what was intended as a respite from the Governor in his hand. But I will notice that fact in a future article in these sketches. Mr. Cooner died a few years ago.

THOMAS L. REED

also filled the office one term, and died a few years thereafter. He made a fair officer.

HUGH G. LOLLER

was also sheriff for one term. Mr. Loller was what would be termed a natural gentleman, raised up in the rural districts, yet you would not have blushed to see him enter any circle where gentlemen congregate. He raised a company and went into the war and in one of the battles fell at his post, leaving an unsullied reputation as a legacy to his friends.

HENRY FERGUESON

also filled the office for one term. His entire course in office showed a desire to faithfully discharge his duties as an officer, and I think he gave a very general satisfaction. He was very agreeable in the transaction of his official duties. He still lives in the county.

JOHN B. LOLLAR

also served one term and the remarks made in the case of Mr. Fergueson are equally applicable to him. Mr. Lollar now fills the office of Clerk of the Circuit Court, having defeated the Democratic nominee at the last election.

The office of sheriff is now being filled by MOSES BARTON, a very agreeable gentleman, who discharges his duties for the public good.

It may here be stated that at the present time the political parties in Walker are so nearly equally divided that each county office is filled by a partisan officer. If I am not mistaken the county offices are now filled by republicans, unless it be Judge Shields who claims to be a greenbacker. It may also be stated that the best citizens of the county are divided in their party affiliations.

[The Tuskaloosa Gazette, January 27, 1887.]

CHAPTER XVI

STATE SENATORS

The first Senator from Walker county was William A. Hewlett. He was first elected Judge of the County Court, but owing to the establishment of the Probate system, he served but a short time. He opened a law office in Jasper. In 1853 he was elected to the Senate from the District composed of the counties of Lawrence, Winston and Walker, and served for four years.

Judge Hewlett was a nephew of Maj. David Hubbard, was a young man of fine personal appearance, very preposessing in conversation, and if he had studied his cases a little better would have made a very fine lawyer. He was very kind and liberal as a friend and a citizen—always ready to give or receive favors, and it made but little difference with him whether he was granting or receiving them. He took a good stand in the Senate, was universally popular,—did not often occupy the floor, but whenever he did he commanded attention. Judge Hewlett was a Democrat of the Old School. In fact, he was so far in advance of his party as to advocate State Aid to works of internal improvements, and often predicted thro that instrumentality the development of mineral wealth now going on in the country, and which bids fair to make Walker county at no very distant day one of the most important counties in the State. In 1860 he supported the Breckenridge wing of the Democratic party. After the election of Mr. Lincoln to the Presidency, he was an ardent secessionist, and when the war broke out, he organized a Battalion of Cavalry and was commissioned a Major in the Confederate army. I think his Battalion was finally consolidated with another and formed into a Regiment, and Major Hewlett was promoted to the rank of Lieut. Colonel.

After the war the Judge moved to Texas,—since then I have heard but little from him.

SENATOR HILL

In 1861, Rev. James A. Hill was elected to the Senate from the same District. Mr. Hill resided in Walker county. He had

lived there but a few years. I think he came from Georgia. He was a minister in the Missionary Baptist Church, and was considered as being above the average in intellect. His church looked upon him as a man of rather superior ability, and I do not think he was disposed to question their judgement on that point. In the Senate he was extremely radical, was in favor of all measures that favored putting everybody—as was said at the time—from the grand-fathers to the babies in the militia. He opposed all measures intended for the protection of the citizen against the illegal assumption of authority over them by military officers. He never returned to Walker county after the war. There was considerable opposition to him there, growing out of some hard things that thranspired during the war, which was to some extent charged against him, resulting in the loss of life. He moved to Mississippi—became connected with the Orphan's Home at Lauderdale Springs. After which he went farther west, and I was unable to follow him further.

SENATOR ROSAMOND

The next and last Senator from Walker county was Dr. William C. Rosamond. He was elected after the adoption of the present Constitution. The District had been so changed as to include Jefferson and Shelby counties, leaving out Winston and Lawrence. Dr. Rosamond was born in Abbeville or Lauderdale District (now counties) South Carolina. His mother was Anne Powell,—one of the eleven grown sisters, ten of whom married and raised families. There were, first and last, eighty odd first cousins in the family. In 1843 he came with his widowed mother to Alabama, and settled in Tuskaloosa county. By diligent labor and the help of his brothers and sisters, obtained a little home, where the family lived comfortably and happy for many years.

After the death of his mother he studied with Dr. B. F. Powell of North Port, and was admitted to practice by the Medical Board of Tuskaloosa county, I think in December, 1855. Shortly after obtaining his license he went to Jasper, the county site of Walker county, where he opened his first office as a Physician. His first advertisement attracted some attention by the press, on account of its brevity. It was certainly unique. There was nothing of the puff in it. It was simply this:—"Dr. W. C. Rosamond, Jasper, Ala. If you want him send for him."

In a very short time the Doctor had worked himself into a fine practice and was doing well. But the war put an indefinite suspension to his business. He went into the army as a surgeon, and continued in that capacity until the close of the war. As was the case with thousands of others, at the close of the war, the Doctor found himself again at the bottom round of the financial ladder. But nothing daunted he returned to his practice,—married a most excellent woman and was soon doing well again.

In the Senate Dr. Rosamond took a very fine position; was highly esteemed by the first men of the body, and also by the heads of Departments. He makes a strong, sensible speech and has a very clear head on almost any subject; and, is in fact, a first class self-made man. He served but the one term, the office rotating between the three counties. I could say a great deal more about the Doctor, but for reasons well known to us both I will refrain. Some years ago the Doctor lost his wife. In proper time he married a Miss Dinsmore, of North Alabama, a lady in every respect worthy of him. She is in the true sense of the word a mother to his interesting children.

It was a brother of Dr. Rosamond who got off the joke on the Baptist preacher about the Methodists and the dog fennel. The story has been told in various ways, and located at different points; but North Port is its true locality. It occurred in this way: There was a protracted meeting going on at a Methodist church, which was attended with a good deal of excitement. The old preacher in a pleasant manner said to Mr. Rosamond, who was a Methodist, that he could not tell which annoyed him most, the Methodists or the dog-fennel; that he wished he could find some way to get rid of each of the annoyances. Mr. Rosamond told him he could not tell him how to get rid of the Methodists, that would be a pretty tough job. But it would be easy enought to get rid of the dog-fennel: that, if he would just

sprinkle a little whiskey on it, the Baptists would eat it up. The old brother said it was too good to keep.

This anecdote is not given to reflect on the Baptist denomination, but simply to give the little pleasantry between the two men, who were the best of friends.

There are no people in this country who can better afford to laugh at such a joke than our Baptist friends, for they are certainly fully up with the advance guards in opposition to the whiskey curse.

[The Tuskaloosa Gazette, February 3, 1887.]

CHAPTER XVII

CHARACTER OF THE PEOPLE

I suppose very few people have had as many hard stories told about them as the original settlers of Walker county. It would really be amusing, if I had space to inset even those that I have heard about the people. I have laughed at, and with many of them over these stories. But an intimate acquaintance with the people revealed the fact, that while there were here and there some pretty hard cases, the masses showed a population that would compare favorably with any rural population that you could find in any country. And I have often heard the merchants say that none of their customers paid better, upon an average, than did those of Walker county.

CHARACTER OF LAND, ETC.

There is a great deal of very fine farming lands in the county, and there is an evident improvement in developing that interest. There is also a large amount of fine timber in the county, and that too will soon be in demand. Then there is the almost inexhaustable stores of mineral wealth which has been sleeping there for centuries. That interest is now coming to the front with the tread of a giant, and the time is not far in the future when Walker will take her stand among the most influential counties in the State. There are now three important Railroads being projected through the county: The Georgia Pacific, will soon be completed, connecting Atlanta, Georgia with Columbus Mississippi, and the farther West: the Kansas City and Birmingham Road is near about graded from Birmingham to the Western borders of the county, and the work is moving forward with a vim that is really astonishing to the old fogies. To show the dispatch with which the work is being accomplished, it is only necessary to say, that on the first of July last the Road had not broken ground, but by the first of January, we may say, the entire earth-work had been completed to the point above stated. The Sheffield and Birmingham Road is making gradual progress to the South and will assuredly at no distant day, reach the Georgia Pacific on Wolf or Lost Creek. This connection will necessitate the extension South,

so as to reach deep water on the Warrior river. This will give the shortest line of communication between the deep waters of the Tennessee and the Gulf of Mexico. This line will also develop, to a great extent, the immense coal fields North and West of the Warrior river. And when it is remembered that this connection only requires a Road of between thirty and forty miles of length, we can but look upon its final accomplishment as an assured fact.

HER COURT HOUSE TROUBLES

Walker county has had very serious trouble in regard to her Court Houses. There seems to be a singular fatality attending them. Since I commenced practicing law in that county, it has had four good Court Houses, all of which have been burned. The last one was a splendid brick structure, with tin roof. The fire simply gutted the building—leaving the splendid walls in tact. The vaults showed that they were perfectly fireproof. The authorities at once contracted for repairing the building, and the county now has one of the finest Court Houses in the State. It is rather remarkable that in these cases the burnings occurred just before the meetings of the Circuit Court.

DAVIS THE COUNTERFEITER

Walker county at one time included all the territory of the present county of Winston and a portion of Cullman, and also of Blount. The original county contains the cave of the celebrated counterfeiter, Davis, who was hung at Tuskaloosa in the early days of Alabama. I do not know whether he was tried in the State or the United States Court. I think, however, in the State court. The jurisdiction of Tuskaloosa county then extended over the territory. What I say in regard to the case is, of course, hearsay, as it all transpired before I came to Alabama. But I have heard many of the old people talk about it. It was said when the detectives entered the cave he was sitting at the table, pen in hand, signing the bills: that he looked around and saw them, and quietly remarked, "Mr. race is run." I have also been told that after his conviction he stated that there were many persons who had handled his money, but that he would not give them away.

BELIEF IN A SILVER AND LEAD MINE

There always has been, and still is, in the minds of many of the citizens of the county, a strong belief in the existence of a silver and lead mine in Walker county. A great many specimens of lead have been sent to the State Geologist, who has invariably pronounced them to be lead, but has just as invariably given the opinion that these had been dropped by some Indian hunters: that the science of Geology negatives the existence of lead and siver ores in that section. Most people accept the statement of the Geologist as true: while many others regard their opinion as mere scientific nonsense. But I suppose until the believers actually find the mines and show that they are capable of being worked, the great mass of the people will side with the men of science.

PUBLIC EXECUTIONS

I believe there has been but two persons executed in Walker county under sentence of the courts. They were both white men, and both hung for murder. The first was Robert Norris, who was hung for the murder of his stepfather. I do not know anything about the case, only the fact that he and his brother Reuben were both indicted and were sent to Fayette county jail for safe keeping. I remember seeing them leave for Walker court Reuben made application for a change of venue and his case was moved to Fayette county when after several continuances he was finally acquitted. He was defended by Lincoln Clarke. Robert was tried in Walker and convicted, and in June 1837, suffered the extreme penalty of the law.

LOTT M. FRANKLIN,

was the next and last one executed. He was tried at the fall term, 1855, of the circuit court. He was prosecuted by the Solicitor, Alfred E. VanHoose, and John W. McRae, who was employed in the case, and defended by W. A. Hewitt, Judge Wm. R. Smith and Col. William E. Earnest. Judge Smith and Col. Earnest argued the case for the defence. Mr. VanHoose closed the case in a speech of just twenty-five minutes. I do not think I have ever head a speech of the same length that surpassed it. The case was tried before Judge Thomas A. Walker. After conviction Franklin was sent to Tuskaloosa jail

for safe keeping, while the case was pending in the supreme court. After the affirmance of the case and before the day fixed by the court for the execution of the sentence, a petition was sent the Governor for commutation of the punishment from death to imprisonment for life. This petition reached Gov. Winston in Mobile just two days before the day of the execution. The Governor at once sent an order to the sheriff of Tuckaloosa county to retain the prisoner until further orders. This order was sent by a messenger by the Mobile & Ohio R. R. to Gainesville, Ala., and from there overland to Tuskaloosa. The sheriff of Tuskaloosa county received it just about four hours after he had delivered the prisoner to the sheriff of Walker county for execution. The Tuskaloosa sheriff at once dispatched a messenger with the order of the Governor which was delivered to the sheriff of Walker county a few hours before the time set for the execution.

After a good deal of hesitation and being improperly advised by an ex-sheriff of another county, the sheriff finally decided that the paper coming to him as it did was not a sufficient authority to justify him in refusing to execute the sentence of the court, and so the man was executed. Many hard things was said of the sheriff by the press of the State, all of which did him very great injustice. He acted conscientiously in the matter and simply desired to discharge the duties of his office. In justice to him it must be stated that the order of the Governor bore no evidence of having been issued from the Executive department, nor was the suffix "Gov." attached to it. In addition to this there was no evidence that the paper could have gotten from Mobile to Jasper in the time between its date and its arrival at the latter place. Added to all this was the advice of a lawyer that if the paper was spurious and the sheriff failed to execute the sentence the defendant would be discharged and set at liberty and the sheriff be held responsibl. Under all these pressures the sheriff finally reluctantly carried out the sentence of the court.

TWO REMARKABLE FACTS

There are two facts connected with these cases that is to say the least remarkable. First the defendants both tried and convicted at the first term of the court after the offence was committed and at the term when the indictment was found.

The second I suppose has no parallel in history. When Norris was hung in 1837 the gallows was erected by planting two upright sawed pine posts in the ground, spanning the two with a beam of the same material. Instead of a trap the common cart was used. This gallows was erected out in the woods about a half mile from the village, and stood there until 1856 and Franklin was executed on it in the same manner.

[The Tuskaloosa Gazette, February 17, 1887.]

CHAPTER XVIII

THE COURTS I ATTENDED

Before leaving the "Hills" it may not be out of place to give a kind of brief running sketch of the courts I have attended in the up counties, and a few of the people I have met there. To begin with, I have attended two terms of the circuit court in Blount county. The first one was held by the

HON. GEORGE D. SHORTRIDGE

who had exchanged with Judge E. W. Petters. Judge Shortridge, I think, was a native of Alabama, possibly of the city of Tuskaloosa. He was a man of very pleasing address, quite handsome in personal appearance. In fact he was one of those men who would have to do something actually wrong to keep you from liking him. He was first elected Judge by the Legislature in 1844. He had been solicitor: and in 1838 was elected to the House from Montgomery county. In 1850 he was reelected to the same position by the people, at the first election of judges by popular vote. In 1855 while holding the office, he accepted the nomination of the American party for Governor and made the canvass against Gov .Winston who had been nominated by the Democrats for a second term. Of Gov. Winston I will have something to say hereafter. As judge he gave universal satisfaction. Presiding with an ease and dignity that really made the court house pleasant whenever he held court. His decisions were logical and always rendered with an urbanity which took the sting out of the party againts whom they were rendered.

To Judge Shortridge I am indebted for license to practice law. And I am certainly indebted to him on that account—for had he subjected me to critical examination I could not have passed. In the canvass for Governor Judge Shortridge showed himself a very fine debater. It was, however, thought at the time that he relied too much on his impromptu powers, to at all times encounter the solid facts presented by his antagonist. He started in the canvass with fair prospects of success, which seemed to be increasing, but the great contest in Virginia be-

tween Wise and Flournoy, resulting in the defeat of the new party, the great number of democrats, most of whom had joined the party thinking that it was going to take the country, left it as they say rats desert a sinking ship, so that by the first Monday in August the vote showed a majority of something over eleven thousand against the Judge. This result was very mortifying to him. He soon resigned his Judgeship and formed a law partnership in Selma, which lasted but a short time. The last public position held by Judge Shortridge, was that of delegate to the convention of 1861. He ran as a secessionist with Judge McClamahan. There was some irregularity in the returns —both parties claiming the majority, and the seats of the sitting members were contested. But before the contestants could get a hearing the vote was taken on the ordinance of secession, it was adopted, and that being the only issue of importance the contest was dropped. The Judge never rallied from his defeat in 1855. I do not remember to have met him but once after the war. He was sent to the Legislature to try and get a new county, centering about Montevallo, the project failed and I never afterwards met him. Let us imitate his many virtues and if he had any failings let us throw the mantle of charity over them.

At that court I met

HON. BURWELL J. POPE,

for the first time. I expected to meet Mr. Pope, and somehow or other I was prepared to form an unfavorable opinion of him. But a very short time sufficed to remove every unfavorable impression, and I parted with him as a friend and we never afterwards met otherwise.

In 1850 Mr. Pope was a candidate for Circuit Judge against Judge Shortridge. At the close of the war he was one of the members elected to congress who were not admitted to seats. Mr. Pope's moral and religious character was without reproach and his habits fully accorded with his professions. In arguing his cases to the jury I do not think I have ever met a more conscientious man. He was a very fierce lawyer. After the war he was elected Judge of the circuit court and was holding one of his courts, when a little military man who thought himself very large concluded he would do up a little reconstruction on

his own hook, had Judge Pope arrested because the county officials had failed to put any negroes on the venire for that term of the court. This outrage will appear the more glaring when it is remembered that the drawing of the juries is a subject over which the circuit judge has no manner of control. I have never met the Judge since that occurrence, I have been told that the transaction was very galling to him, as it would have been to any other man of his fine sensibilities. He was a devoted democrat of the conservative school, was opposed to secession, but was a true friend to his Southern home.

JUDGE WYETH

At that Court I also met Judge Lewis Wyeth of Marshall county. He had been Judge of the County Court. At the election of 1874, I think it was, he was elected to the Circuit Court bench and held the office for one term. Judge Wyeth was a very good lawyer. As to what his character was, just think what a gentleman should be,—he was all that. His religious character was what you might expect from a consistent Presbyterian. Judge Wyeth still lives, an ornament to Alabama society.

FRANK GILBREATH

I also met at that Court Frank Gilbreath, a promising young lawyer. But I need not follow him. It is the old story. Touch lightly here, or you will hear the patent phrase, "fanatic" ringing in your ears.

GEORGE POWELL

was a man past the meridian of life: one of the early settlers of Blount county, and had the history of the county at his finger's ends. He could tell you all about every important transaction in the county. He was a very intelligent farmer with little education. At one time the Alabama Historical Society requested him to furnish the data from which a history of the county could be written. He prepared his manuscript for the Society. Mr. J. M. VanHoose made some grammatical corrections in it, and the Society published it as he prepared it. It covered some 60 or 80 pages in pamphlet form, and would have been an honor to any of our literary men. The last time I

met him, I was called to represent a brother lawyer in a very important civil case in which he was defendant. The case went against him. After the trial he complimented me on my speech in the case, and said my course had increased his respect for me. We shook hands and parted and I never saw him afterwards.

ABOUT SOME WITNESSES

At the two courts I attended there occurred several amusing incidents, but as is generally the case they cannot be written so as to show how ludicrous they were. I will give one or two passing remarks of the witnesses. One was testifying against a defendant who had assaulted him with a "weepin."—He said the defendant came at him with his knife drawn, and 'swure' he would cut his (witness') 'intervals out'; that he got a billet of wood and told the fellow to stand back or he would knock him 'H—L West.' Another one testifying in a civil case, after making an almost conclusive case for the plaintiff, was asked by the opposing council if he was perfectly certain that he was relating the terms of the contract word for word, just as they occurred. He replied: "Yes, sir, word for word, prebatim, just as they occurred." Just here a number of respectable citizens were called in who informed the jury that the witness was likely to draw on his imagination for his facts in giving in his testimony. This spoiled what seemed to be a good case for the plaintiff, and he had to throw up the sponge.

A MOTHER'S DEVOTION

There was one case tried that drew upon the sympathies of the Court, the bar and the crowd. It was the trial of a young man for murder. The defendant was barely grown when he committed the offence. The man killed was shown to be a very overbearing man; that he had a particular spite against the boy, who was regarded as a harmless fellow—without having made any character, either good or bad. It was shown on the trial that the deceased, while living, never allowed an opportunity to pass without saying or doing something to the defendant calculated to make him feel degraded in company. Finally, the young man goaded to desperation seized a rather small walking cane, struck the man one or two licks with it when he fell at his feet and expired. After a somewhat elaborate trial he was convicted of manslaughter in the first degree and sentenced to the Peni-

tentiary for eight years. The mother of the young man was not a woman of high character: but her devotion to her boy in his trouble challenged the admiration of all. She sat by him through the entire trial and when the verdict was returned she showed with what crushing weight it fell upon her: but she did not give way to feeling, but showed that she had a work to do that would call into action all her energies. She got her son's lawyer to submit a motion for a new trial,—which was granted by the Court on condition that he would plead guilty of manslaughter and consent to a sentence of two years,—which he did. Before the trial the defendant was sent to Huntsville jail for safe keeping. His mother made two trips over the mountains on foot to visit him. And as I rode out of town, on Saturday morning, I saw her standing on a box by a little window in the jail, talking to her boy. But she did not stop in her efforts: she gave the Judge and the Solicitor no rest until she got a recommendation for pardon. The Governor responded favorably, and in a short time mother and son were united. Who can fathom the depths of a mother's love!

[The Tuskaloosa Gazette, October 13, 1887.]

CHAPTER XIX

Passing from Blount to Walker county, I will simply say that I have attended sixty-four terms of the Circuit Court of that County. It would simply be impossible for me to transfer to paper the scenes I have witnessed at these courts. Large crowds would assemble together at nights,—some to engage in their revelry and others ,perhaps the largest portion—simply to enjoy the fun. You could hear them at all hours of the night, and their revelry would embrace everything that a rural people had ever witnessed. Some times you would have all the paraphernalia of a camp-meeting: preaching, exhorting, praying, calling up mourners, and finally the shouts of the converted. In these mimc camp meetings you might hear confessions that would not be expected, at a sure enough camp meeting.

Then in a very few moments, the scene would change, and you would hear a repetition of all that you would be likely to hear at a regular muster or election day fight. Again the scene would change, and this time you would have a session of the Court, the calling of defendants, witnesses and lawyers. Many cases would have to be continued on account of the absence of parties, witnesses or attornies. The Judge would very frequently tell the parties with all the formality of the real Judge that they must be ready for the trial at the next term, etc. In most of these proceedings there would be but one object in view with those who were engaging in them, and that was simply fun. There was rarely anything really vicious in them.

But these scenes have long since passed away. The interdiction of the sale of the exciting stimulent, at the Court House, has made Jasper one of the quietest places you will find anywhere. I know it was stated in the Mountain Eagle, at the last term of the Court, that there had been more drinking and disorderly conduct at that term, than had been for many years. The editor was mistaken, and if he had attended Court as often as I have, he would not have thought so. I know what I say, when I state that I have seen more of the effects of drinking on one evening, at some former terms, than was witnessed during the entire term of last court. But just make it fun again, and no doubt the same scenes would be re-enacted.

I know of no place where I enjoy myself better than among the citizens of Jasper, and the masses of the people, who attend their courts and other assemblies. It was at Jasper that I made my first speech to a jury. I was a volunteer. I was not getting cases then, but that got me into another little appeal case, which I won, and I still hold the memento of that case, in the shape of a due bill, promising to pay me the sum of Five Dollars. But in justice to the client, I must say that he paid the fee to the man who got the case for me, and it is his note I now hold. I have been connected with quite a number of homicide cases in Walker county, sometimes prosecuting and sometimes defending. The success has been variable, though I have never had a life time verdict rendered against me, and never until the last term of the court, was there a death verdict in one of my cases. In that case a negro, calling himself Jack DeBear, was indicted for the murder of one Pope Wooton. The Judge appointed myself, and Judge Cunningham to defend him. The evidence showed that while the deceased was standing, talking with another negro, holding his pistol in his hand, not being in any difficulty with any one, but trying to stop some trouble with some other negroes—all of them employees on one or the other of the two railroads—the defendant walked up to the deceased, wrenched his own pistol out of his hands, and shot him three times, from the effects of which he soon expired. Of course, under this evidence, a straightout defense was out of the question. The only thing that we could do was to admit that the defendant was guilty of murder in the second degree. On the grounds that there was not sufficient deliberation and premeditation shown in the evidence to make out the statutory offence of murder in the first degree. The jury, however, thought different, and so rendered their verdict. This adds one other to the legal executions in Walker county.

In my attendance upon the court of that county, I made the acquaintance of a number of citizens of the early settlers of the country. I might allude to Levi Sides, who was perhaps regarded as the chief justice of the courts of magistrates. He was a man of very fine sense. Plain in his manners and dress; universally kind to every one; allowed no discount on the dignity of his court, but in all things sought to do right between the litigants. If the reader has ever read the chronicles of Pineville, Georgia, he will remember the character "Squire Roggers."

Well, Levi Sides would have answered very well for the character. Some years after the war the old gentleman died, and I suppose I need not hesitate to say that he died without a personal enemy. I know I never heard but one sentiment uttered in regard to him, and that was kindness. He left a considerable family, all of whom are good citizens.

Richard Files is another one of the old citizens of the county. I think I have met him at every court I have attended, and I don't think I ever met a more pleasant gentleman in my life. The smile of friendship that always beamed from his face, would simply make you feel well. I think for a large portion of the time he has filled the office of County Commissioner. He still lives somewhere in the eighties, universalyl respected.

Alvin R. Baker, was another of the notables of the Walker County farmers. He told me that he was at the organization of the first court ever held in the county, and had attended every term of the circuit court held in the county up to his death. He was a man of extraordinary mind. It seemed that his judgment was never at fault. He filled the office of justice of the peace for a great while, and I suppose no one man was ever foreman of the grand jury oftener than he was. In his neighborhood he was often spoken of as the benefactor of all, from his unlimited attention to the business of those who received assistance, and always gratuitous. His control over children was remarkable—and yet he used no harshness. It seemed that he only had to say, 'Do this,' and it was done. Some ten years ago he died, leaving a legacy to his children and surviving friends a character of which they may well be proud.

Robert Guttery may be justly considered the father of the Primitive Baptist denomination in Walker county. He and his brothers were of the first settlers on Wolf and Lost Creeks. There were three of them preachers in that denomination. They were all true and upright men—good citizens. Robert was considered the leading character in his neighborhood,—had been a preacher for more than half a century. No man occupied a higher position in the community than he did. He never sought office, but in 1860 was brought out by the conservative party to represent Walker county in the Convention of that year, known as the 'Secession Convention,' which assembled early in January, 1861. In that Convention he sided with the antisecession party

and voted first to submit the Ordinance to the people for ratification or rejection. That proposition failing, he voted against the passage of the Ordinance and refused to sign the same after it was passed. But after the thing was done and resulted in "the War," no one was truer to the South than he was. After the close of the war he took the true conservative ground and his entire influence was on the side of a restoration of civil authority, and the peace and quiet of the country. A few years ago he was sitting in the door of his house in company with his wife: she was called off for a few moments to look after some little business: when she returned, the old man was dead. He was somewhere in the eighties,—and I think pretty high up. I had known him personally for more than forty years, and always pleasantly. He left a large family of descendants, all of whom are good citizens.

Among the old men of my acquaintance in Walker County, no one impressed me more than Jesse Tyree, I have known him ever since he was a boy. He was rather well to do in life, lived in plain style though always having plenty. He was about six feet four inches high, very spare made and straight as an arrow.

He was one of the very few who used his toddy throughout his whole life and if he ever was really intoxicated I never heard of it. But no one deprecated intemperance worse than he did and especially among the young men and boys. He often talked to me on the subject. The last time I saw him he was expressing his regret at so much drinking among the boys, as he called the young people. I shall never forget the conversation. He told me he was within a few months of ninety-three years old. He was standing beside his horse, full 16 hands high. He said to me, "Powell, you will never see me again in this world. I have sent for all the children to come to see me, for I know my time is near at hand." He seemed in as perfect health as I had ever seen him. He held out his hand and bad me goodbye, turned and mounted his tall horse, apparently with more ease than I was ever able to mount a horse in my life. He rode off and that was the last time I ever saw him. In a few weeks I heard he was dead. He was well respected by all who knew him.

I might notice a great many more of the old citizens of Walker county, but that would spin out the narrative to too great length. But I will say to them all that no people with whom I have ever associated has impressed me with more respect than the great mass of that county have. But so far as these sketches are concerned, I must bid them adieu, and turn for a while to the county which has been my home for over forty-five years.

[The Tuskaloosa Gazette, October 20, 1887.]

CHAPTER XX

My first entrance in Tuskaloosa County was about the last of February 1830. It was what I then thought to be about the end of the long wagon journey from South Carolina. We came down the old Huntsville road from Elyton. Elyton was the first town I ever saw in Alabama. It was there I saw the first Stage Coach I had ever seen. To me it was rather a big sight to see one man holding the reins of four horses, and they nearly at full speed and the driver cracking his long whip at every jump. I said I thought that we were at our journeys end, but I was mistaken. We came down to about opposite the Asylum. There my father had the wagon stopped, and he and mother and my two oldest brothers talked for nearly an hour. I well remember how impatient I was to get to see the 'Big Town.' But after a long talk, the wagon was turned around in the road and we took the back track for some eighteen miles, then turning to the right and finally on the ninth day of March, we passed up about twenty miles north of Selma.

That year under all the circumstances may be said to have been a prosperous one. But never will I forget the complete break down of mother, when we drove up to the very poor apology for a cabin in which we were to live that year. She had been used to the comforts of life, and being in feeble health, the contrast secured more than she could bear, and to use a common phrase, she just let go.

But the kind old gentleman from whom father had rented some land, came to the cabin, at once took in the situation, and spoke words of kindness and encouragement to mother; told her there was a better time coming, and for her not to give way.

The old gentleman's cropper soon came up with what was then considered a full outfit of carpenter's tools for a farmer, to-wit: a hand saw, auger and draw knife. He told mother that he would show her how to make an Alabama bedstead. A few heart pine rails, and some old boards filled up the timber bill, and in a very short time he had improvised a bedstead standing on one leg in each corner of the back end of the cabin, and mother put up her beds. By this time the genuine kindness

and pleasant remarks of the man, uncultivated as they were, had produced a happy change in mother's feelings, and I don't think that I ever saw her in after life, come so near giving up again.

I said under all the circumstances, that was a prosperous year. Two of my brothers hired out during the crop season, and in that way bought us corn to feed our horses and some cows to give us milk during the year.—While my oldest brother and myself—I was in my thirteenth year—and my little sister, who was just four years to a day younger than me, and the little brother next to her. These two children could work a row about as fast as I could, and the three of us would have been considered about one good hand. This force, with the aid of the two hired out brothers, one week during the first chopping out, and a few days at the wind up of the season, we made about one hundred and fifty bushels of corn, some fifty dozen of oats, a good crop of sweet potatoes, and nine bales of cotton, averaging 470 pounds to the bale. I used to tell this story to some of the agricultural philosophers before the war, who insisted that white people could not make cotton.

At the end of that year we moved to Fayette county, passing through Tuskaloosa county on the way. I had never before seen so large a town as Tuskaloosa. We got to the city on Saturday evening, a very cold evening in the first week in January. The river was then crossed only by means of the ordinary ferry boat, and from the crowd on the bank, it looked like it would be late in the night before we could get over. But owing to the earnest entreaties of Col. Johnson, who knew my father, and the kindness of old uncle Joe. Cleveland, who gave us his turn in crossing, we got over in good time. These acts of kindness, boy as I was, made a deep impression upon my mind, and I have since remembered them with pleasure.

We spent that Saturday night in the celebrated little town of Kentuck. On the next morning, I heard the ringing of the first church bell, I had ever heard.

If the reader should be curious to know something more of the locality, appearance and character of Kentuck, let him just imagine a low, or rather a squatty looking frame building, right on top of the river bank, just opposite Dodson's Ware-

house, with a long piaza in front. A little store in front of that almost in the road. A cotton shed ware-house with post planted in the ground. On the opposite side of the road, at the place now covered by Dodson's Ware-house and a small shed store room of rough lumber at the north side of the ware-house, over the door of which was the sign, "Charles Snow & Co., Cash Store," he will have a very correct view of what was then known as Kentuck. These three places represented the commerce of that side of the river. The whole place did not extend fifty yards from th river.

Nearly all of what is now the town of North Port, particularly the lower parts, was a dense canebrake. There was a small cabin at the forks of the road where the store of T. J. Foster now stands, the most attractive feature of which to me was a pet bear chained in the yard. This last place was settled by the father of our very worthy citizen, Mr. W. L. Christian. He is the only man that I know of to be now living who had lived on that site of the river at the time.

The building first mentioned was erected by John Chism, ostensibly as a Hotel; but in truth it was a gambling Hell, and was the centre of attraction in the place.

The character of 'Kentuck' was very notorious. It was known as a place of great disturbance, and principally as a gambling den. The misguided countryman who would allow himself to be drawn into its coils very generally found out that the old saw of 'the more you lay down the less you pick up,' was true.

In fact the place was a Kentuck. But nearly all who resorted there for the purpose of plucking the unsuspecting bird really lived in Tuskaloosa, so that Kentuck furnished the rendivous, but Tuskaloosa in the main supplied the actors. And this feature was kept up long after the name of Kentuck was thrown off and that of North Port was assumed. But as the place grew up, matters changed in this respect. North Port furnished her full share of such characters and Tuskaloosa simply furnished her part of the supply. North Port and Kentuck together has one piece of history that scarcely has it parallel. It is this.—Within the corporate limits of the little town, three generations of the same family have been killed.

About the year 1835 Nort Port began to move away from the river. There had been a goodly number of stores erected and all close down to the river, and by this time there was getting to be a very nice population filling up the place. The effort to move up the road met with very strong opposition. The old tavern at the river struggled hard to hold its supremacy. But it would not do, the town would go up the road. The large frame hotel building, the Globe, that was erected on the street, where Mrs. Maxwell's residence now is, was too attractive in appearance for the old place. In 1836, there was an effort made to check the upward tendency of the place by building Carr-away's Tavern. On the northwest corner of what is now Mrs. Maxwell's patch lot, and subsequently Chism's Hotel, on the present site of Mr. Comorford's residence. But go up, the town would, in spite of all these efforts, and by 1837 the business part of the town had planted itself where it now stands. There was an effort made to carry it still further up the street but it failed.

The first Post Office in North Port was called "North Tuskaloosa," and I have never been able to understand why the Incorporators of the town should have changed its name from 'North Tuskaloosa' to 'North Port.' If I lived in the town to-day I would favor the changing of its name to North Tuska-loosa, for the simple reason, that name would give the place a Locality that would be much more extensively known. The Post Office was discontinued in 1840, for what cause I never knew,—but in1841 the office was re-established by the name of Nort Port, and Jesse VanHoose was appointed Post Master, and I being a clerk in the store became a Deputy or Assistant. But I will close this number. I will probably recur to the place again, after getting through with the representative men of the county.

[The Tuskaloosa Gazette, October 27, 1887.]

CHAPTER XXI

In giving these sketches of public men to the public, my object has been as far as possible to give only my personal recollections of men and things as they have transpired. But I suppose I will be excused for going some what beyond that, in regard to Tuskaloosa County, and give the entire Legislative representation of the county, from the organization of State government, down to the present time. In doing this I will have to refer to the early history of the county, which runs back some dozen years before I was ever in the county, and for about seventeen years before I had any personal knowledge of the men representing the same. I came to Tuskaloosa to live in January, 1841, but for five or six years, previous to that time, I had been very well acquainted with the political contests in the county.

In pursuance of my design, I will give the names of the earlier representatives of the county, as I find them in Garrett's Reminiscences of Public Men in Alabama, and will then say something about such of them as I afterwards knew, and will also say something in regard to those who I know from general information to have acted prominent parts in the public affairs of the State.

The first Senator from Tuskaloosa county, was Thomas Hogg. He served at the sessions of 1819, '20 and '21. In 1830, he was elected to the House, after which he either retired, or was retired by the people. I never knew Col. Hogg, and never as I now remember have I heard any comments on his public life, either favorable or unfavorable, so I will have to pass him by, by simply stating the fact of his election.

Next in order on the roll of Senators stands the name of Levin Powell. He was elected first to the Senate in 1822 and continuously elected to the same position until 1832, shortly thereafter death put an end to his very useful public labors. He had been elected to the House in 1821. I never knew Mr. Powell personally, but from all I have been able to gather from the old settlers of the county, I think I should risk very little in saying, he was the most popular man with the people, that ever

lived in Tuskaloosa county. And this popularity was not of the spasmodic character, but from all I can learn it was co-existent with his public life. There was no time during his entire public career that the people would not have rallied to his support, against the claims of any one who might have contested his success in public life.

This unwavering popularity was predicated on two solid foundations to wit, ability and integrity. In all my intercourse with the people of the county, I have never met with the man who either challenged the one, or doubted the other. As to his speaking powers I am not posted, but as a practical, vigilent and working representative, he had few if any equals, and no superiors. The three last years of his service in the Senate, he was President of the body, and I have always heard him spoken of as a very fine presiding officer. In fact, in whatever position he acted, his course was always such as to exalt the office and the office him. I do not know what Mr. Powell's political affiliations were, but suppose he was a member of the Republican party of his day, as the Democratic and Whig parties were not then as well organized as they afterwards became.

Mr. Powell married the sister of our late highly respected citizen, Judge Washington Moody. He left surviving him his widow and one son. The son died in boyhood. His widow still lives, the wife of Dr. Wm. J. Hays, and is, and always has been held in high esteem by all who have known her.

In 1833, Dr. James Guild was elected to the Senate from Tuskaloosa county. I suppose he was elected to fill out the unexpired term of Mr. Powell. As there appears to have been a successor of Dr. Guild elected in 1834. He was elected to the House in 1845, at a special election to fill the vacancy occasioned by the resignation of Hon. Lincoln Clarke, who had been elected in August, but was appointed Judge of the Circuit Court. These two sessions filled up the measure of Dr. Guild's Legislative career in Tuskaloosa county. If he was ever a candidate for position, except in the instances stated, I never heard of it. In the special election in 1845, the Whigs could have defeated him on mere party grounds. But owing to the fact that the Whigs ran but two candidates at the regular election, thereby allowing Mr. Clarke, who was a Democrat to be

elected. Many of them took the grounds that they should allow the vacant place to be filled by a Democrat. And Dr. Guild being in every way acceptable, he was allowed to walk over the track without any opposition. His action was due mainly to the very high regard felt for Dr. Guild personally. While this was the general feeling among the Whigs, I remember the Hon. B. W. Huntington, who had been defeated for the House in August, made an effort to get himself taken up by the Whigs and elected over Dr. Guild, but the effort was a failure. The Whigs were fully satisfied with the Dr. I will notice Mr. H. at the proper time. Dr. Guild came to Tuskaloosa from Middle Tennessee, in the early history of Alabama, and set himself up as a physician : He soon loomed up as one of the leading physicians of the place, and this among men who had already become eminent in the profession. In the space alloted to sketches of this character, one is at a loss as to where he shall begin in regard to such a man as Dr. Guild. He was the first physician I became acquainted with after coming to Tuskaloosa county. He gave me the first dose of medicine I ever took in the county, and outside of my brother, Dr. Guild was my family physician as long as he was able to practice.

Dr. Guild was not only eminent as a practitioner, but he had the reputation of being at the head of the list as a surgeon.

In the Legislature Dr. Guild took a high stand as a practical working member. He did not often occupy the floor in speech making, but what he did say was always to the point and commanded respect.

Dr. Guild married the daughter of the late Hon. M. D. Williams, who figured in the early history of Alabama. He lived to a good old age, and died in Tuskaloosa in his eighty-fifth year. His wife followed him about two years after his death. His family is now represented by two sons and three daughters—one of the daughters, Miss Ellen—being a very accomplished artist.

As to the standing of Dr. Guild, it need only be said that as a physician, citizen, friend, neighbor and christian gentleman, he has never been surpassed in any community. Dr. Guild was nearly all his life a consistent member of the Methodist Church.

Constantine Perkins responded to the call of the county of Tuskaloosa, in calling the roll of Senators in 1834 and 1835. I have been told that he was a man of fine legislative capacity. He had been elected to the House in 1832. He was the first Solicitor for the Third Judicial Circuit, and was afterwards elected Attorney-General of the State. He was celebrated for his gallantry in the Indian War, under General Jackson, and the fact that he loaded the cannon in one of the severe battles, using his musket as a rammer was always spoken of in terms of praise. It seems that the session of 1835 would up his public career. As I never met Mr. Perkins, I will not further comment on his public life, than to say from all I have heard said of him, he was justly held in high esteem.

Samuel Johnson represented the county in the Senate in 1836. I have no date on which to predicate any remarks in relation to the public life of Mr. Johnson, I never knew him and have never heard his public course criticised. I pressme, however, that he was worthy of the place, or he would not have been elected.

[The Tuskaloosa Gazette, November 3, 1887.]

CHAPTER XXII

In 1837 George W. Crabb represented Tuskaloosa county in the Senate. The contest was with Samuel B. Fireson who was pery popular. Mr. Fireson was the largest man physically, and the greatest mimic, and the most witty man who had ever sought public position in the county. The contest was a spirited one which resulter in the election of Gen. Crabb. General Crabb had been elected to the House in 1836 which seems to have been the only Legislative position held by him in Alabama before his election to the Senate. He came to Alabama from Tennessee at an early day in the history of Alabama. His first public position was assistant secretary of the Senate. I do not know how long he held that place. My first recollection of him as a public officer was reading from the colums of a newspaper "The Flag of the Union" a paper headed, "Report of the Comptroller of Public Accounts" at the bottom of which was the name of George W. Crabb, Comptroller. I learned from that paper for the first time in life the amount of Taxes assessed from the taxpayers of each county in the State, and also the amount allowed the assessor and collector for assessing and collecting the same. I remember contrasting the sum paid to these officers with what could then be made by a man laboring in the field and I thought the man who could get such an office was a fortunate man indeed, I think differently now. But to return to Gen. Crabb. In 1838 there was a vacancy in the congressional delegation from Alabama occasioned by the death of the Honorable Joab Lawler. The Whigs brought out Gen. Crabb and the Democrats marshalled under that popular leader Harvey W. Ellis. The contest was an exciting one attended with some bitterness, each party doing all that could be done in order of success. I remember that the leading organ of the Democracy in the District, very severely criticised General Crabb's Military performances in the Florida War, and tried very hard to impress the people with the fact that it took more than camping out a few months among Palmetto and Pines of Florida to qualify a man for the important duties of an American Congressman. But it would not do: when the smoke of the battle cleared away, victory purched upon the banner of the whigs in the hands of their idolized leader.

In 1839 the same battle was fought over again under the same leaders, and with a like results. This term ended the public career of Gen. Crabb. The Presidential election of 1840 had disclosed the fact that as the Congressional District then stood a majority in the next delegation would be whigs, the Legislature at the session of 1840 enacted a law electing the Members of Congress by the general ticket system. This law enabled the Hon. Winter W. Payne of Sumter county to supersede Gen. Crabb in the Alabama delegation. But the Sumter gentleman owed his election alone to the North Alabama counties. The vote in the Old District showed a very handsome majority for the General. General Crabb was a lawyer of high standing in Alabama. He was the senior partner of the firm Crabb & Caper, and also of Crabb, Cochrane and Inge, each of which firms did a large practice. In 1844 to the great astonishment and still greater mortification of his old political and personal friends, General Crabb severed his connection with the whig party, repudiated his former ideas of the American Statesman "The Gallant Harry of the West" and in a set speech before the Polk and Dallas ratification meeting at Tuskaloosa announced his intention of supporting the Democratic nominees for President and Vice President. So far as I now remember that was the last public speech made by Gen. Crabb. His old whig allies of course gave him the go by, while his newly made friends seemed to have a full supply of ready made Democratic aspirants, so that the General was never afterwards a candidate before the people. In about two years the sable curtain of death was thrown over the whole scene and the distinguished gentleman was leveled with all whom the great monster claims as his lawful prey. In all his public life General Crabb was honest and faithful, was fully capable of sinking the partizan into the patriot. He married Miss Elizabeth Inge who survived him. His only daughter Miss Mary Grace, a lady of rare beauty and intelligence marired the Rev. J. W. Pratt one of the faculty of the University of Alabama.

The immediate successor of General Crabb in the senatorial representative from Tuskaloosa county was Gen. Dennis Dent. He was first elected in 1838 to fill the unexpired term of Gen. Crabb. In that contest he was opposed by the same gentleman who contested the position with General Crabb the year before, to-wit: Sam G. Frieson. In that memorable contest of 1840 the whigs placed the senatorial standard in the hands of Gen.

Dent. The Democrats unfurled their banner in the hands of Major Robert M. Garven who undertook to break the political lance with the General. But the effort was unavailing—Gen. Dent was triumphantly elected. In 1843 Hon. Williams R. Smith threw down the gauntlet to him as an independent whig, raising the cry against county nomination for the Legislature. The Democrats responded to the cry and rallied almost to a man in favor of Mr. Smith echoing and re-echoing the cry of cliques, caucuses and rings through out the county. By the way how would that sound to the would be Democratic Manipulators of the present day. But the end came, the contest was rather bitter and the vote very close, but the General passed the flag pole fifty three votes ahead. In this contest Gen. Dent had some very imprudent friends who undertook to disparage Mr. Smith by contrasting the position of the two men and pretty broadly hinting that it was, to say the least of it, the piece of arrogance on his part to presume to run against Gen. Dent. This fact was seized up by the more zealous friends of Mr. Smith and used to his advantage. On the other hand while in the House Mr. Smith had either offered or advocated a bill to reduce the salaries of the President and the Professors of the University. In his speech he made some allusion to the President, Dr. Manly, which was unpalatable to a good many of the Drs. personal friends and caused them either to vote for Gen. Dent or to scratch the name of Smith off the ticket.

In 1847 Gen. Dent made his last canvass for the Senate. I do not know how his opponent was brought out. The first intimation of opposition was a flaming circular with this heading "Samuel D. J .Moore is a candidate for the Senate from Tuskaloosa County. But like many other flaming manifestoes the circular over did itself. It proposed a special tax of $1 per bale on all the cotton raised in Alabama. Of course it was unpopular. The farmers were persuaded that they were already sufficiently taxed. Gen. Dent was triumphantly elected, which was the last time he was ever before the people, and if he was ever before the people, and if he was ever beaten I do not know it. His Senatorial term expired with the Session of 1849-50 at which session he was elected President of the Senate, the Whigs for the first time having a majority in that body.

Gen. Dent was originally from Maryland, and I think first came to Georgia. His first appearance in public life in Tuskaloosa

county, was in 1834, when he was elected again in 1835 and again in 1836. The first time I ever saw Gen'l Dent was in the early part of the year 1836. He was at the head of the company of volunteers, preparatory to leaving for the Florida War. I was young then but was impressed with his style of approaching his men, it seemed as if he looked upon them more in the light of children an wards, than as mere soldiers to move at his bidding. And in all the bitter political contests that he afterwards engaged in, I do not think that it was even hinted that he was ever wanting in kindness to his men.

Gen'l Dent's popularity was based on two considerations. First, his uniform kindness of disposition . A perfect freedom from anything that would tend to remove him from the people. In the next place his practical good sense, coupled with an integrity that never was called to question in public life. The people believed all this, and it made him invincible.

As a speaker either in or out of the Legislature, he was plain and practical, everything he said was characterized by good common sense, just suited to the wants of an unpreteding people.

Gen'l Dent was an ardent and zealous Whig as long as that grand old party kept its banner unfurled. In the trying times of 1860 while he did not take active part in the canvass his sympathies were in favor of Bell and Everett, and against secession. After his public life he engaged in the commission business in Mobile, first with B. B. Fontaine, then with his brother, and lastly with Major R. H. Slough. In 1860, or '61 he died. He had been for a long time a member of the Methodist Church.

[The Tuskaloosa Gazette, November 10, 1887.]

CHAPTER XXIII

In 1837 Robert Jemison, Jr. was elected Senator from Tuskaloosa county without opposition. In Garrett's Book no place is given to Mr. Jemison in the roll of Senators previous to 1837. But in his notice of Mr. Jemison "he had served in the Senate previous to 1837." I learned from Mr. Jemison himself that his election was to fill a vacancy in the call session of 1837. I also learned from him that the race was between him and Dr. Reuben Searcy. He told me that the race was a close one, that all the boxes had been heard from except one (Robinson's) that the count stood so close that he and his friends, as well as Dr. Searcy's friends felt sure that the Robinson box would elect Dr. Searcy as all parties conceded him a good majority at that box. But to the astonishment of every body when the returns came in the vote stood Jemison 93; Searcy 3; which secured Mr. J's election. And by the way it may be stated that the box never went back on Mr. Jemison until the last time he ever run in the county, when the vote at Sheppard's which was the same precinct stood for Mr. Jemison 3; and 95, for his opponent who will be noticed hereafter, the two elections were just twenty eight years apart.

Mr. Jemison had been elected to the House in the years 1840, 1841, 1844, 1847 and 1849. In 1853 he was again a candidate for the Senate, and his friends thought for a while that he would have a walk over race. But about six weeks before the election a man who had been employed by Mr. Jemison but whose employment had ceased without any difficulty between them whatever, astonished every body by proclaiming himself an independent whig candidate for the Senate. The man's name was Glower, he was a very clever man but really below ordinary. Mr. Jemison's friends at first regarded the whole thing as farce. But very soon it was ascertained that most of the leading Democrats were doing all they could to elect Mr. Glower. And here I may state rather parenthetically, that strange as it may sound to day the Democrats of that day were exceedingly partial to "Independents." However, Mr. Jemison was triumphantly elected. In 1835 he was allowed to walk over the track. But in 1837 he had to fight his way through the same influences, and again the instrument was an independent.

Andrew S. Hamilton a very worthy citizen, an old time whig announced himself a candidate for the Senate. Mr. Hamilton's position was anomalous. Mr. Jemison had incurred the opposition of the Rail Road then in progress of construction. Mr. Hamilton assumed the championship of the Road but at the same time taking a decided stand against any kind of State aid to work of improvement. The entire influence of the Rail Road was thrown against Mr. Jemison. He met the issue in able, dignified and impartial manner. He said he would not suffer himself to be driven into false position in regard to the railroad. Being in favor of State aid, he would place the road on the same plane with any other road in any general system of aid adopted by the State. But while he was willing to go that far, he would not, nor could be driven to the position where he would sink the Representative into supple tool of any monied corporation.

Mr. Jemison was again triumphantly elected, and this was the last time that influence ever brought out opposition to him. After this election some Democratic paper in speaking of the election said "it seemed that the Devil himself could not beat Mr. Jemison." This produced a retort from a paper friendly to Mr. J that it supposed that was true, for the Devil had several times tried it. In 1863 he was allowed to walk over the track and these were his last elections.

Mr. Jemison came prominetly to the front as a politician in the great contest of 1840. That was the Presidential election. The opposition to Mr. Van Burens administration had been growing for two years. The Democratic party was not then as fully up to political management as it became four years later. Had it been so it would have sacrificed Mr. Van Buren and not itself. But the party had determined that he should have his second term and not be thrown with the Adams father and son who had each been retired on one term.

The whigs had placed in nomination Gen. Harrison of Ohio, and the canvass was fully upon the county. Each party made its rally in Tuskaloosa county, being the capital county of the State. The Democrats had the advantage of having all the State officers at Tuskaloosa and they were all men of influence and quite popular, and then the Post Master was Samuel G.

Frierson, who was very popular. Each party brought out a ticket with a view of catching every vote that could be picked up.

The Democrats headed their ticket with Harry W. Ellis as the leading debator, sustaining him with John D. Phelan, a very popular speaker and who had been elected the year before. Next on the ticket was Daniel Cribbs, who carried on an extensive Pottery. Mr. Cribbs was an excellent ground talker and personally very popular. Robert Cook a well to do and highly esteemed farmer completed the ticket.

The Whigs in selecting their ticket ignored the professions entirely and with the exception of Mr. Jemison's milling interest, the entire ticket was taken from the Agricultural interest. The ticket was composed of Robert Jemison, Jr., Jaby Mitchell, Hardin Perkins, and James G. Blunt. I did not hear any of the speakings of that year but I could hear from it, of course the man who had to meet Harvy W. Ellis on the stump had to be well posted and have intellectual strength. Mr. Jemison proved himself to be that man. He met Mr. Ellis all over the county and though not a lawyer he showed himself a full match for his distinguished competitor. The result of the election was a remarkable one. The average majority for the whig ticket was 274, and so well had each party drilled its votes that six votes covered each ticket in the county and two votes covered each at any one precinct, Mr. Cribbs received the highest Democratic vote and Mr. Mitchell the highest on the whig ticket. I have always heard that canvass spoken of as being one of the most high toned and honorable ones ever witnessed.

Mr. Jemison was again elected in 1841. He was not a candidate again until 1844 that being the year of the Presidential election, the whigs urged Mr. Jemison to take the field for the great Harry of the West against Mr. Polk, whose nomination was a surprise to the country. In that contest he was pitted against Judge Peter Martin, and it is sufficient to say that his former laurels were not withered in that contest. He was not a candidate again until 1847. Owing to the financial condition of the State and his acknowledged ability he was urged by his party friends and a good many Democrats to become a candidate, which he did and was elected by a large majority leaving all his competitors considerably behind.

At the session of 1847-8 the Democratic speaker of the House, the Honorable L. P. Walker astonished every body by appointing Mr. Jemison chairman of the Committee of ways and means. It was the first time that a whig had been made a chairman of any important Committee, and being acknowledged to be the most important one in the House it necessarily produced surprise. The whigs looked upon it with jealousy knowing that any tax bill passed at that session at all commensurate with the wants of the State would be unpopular, they thought that the appointment was made to sacrifice Mr. Jemison and make the whig party responsible for the unpopularity of the measures. But subsequent events showed that so far as the speaker was concerned, these fears were groundless. The speakr nobly sustained Mr. Jemison in passing the bill reported by him.

The bill introduced an almost entirely new system of finance in the State, and after a period of nearly forty years there has been very little departure from the system inaugerated by Mr. Jemison in 1847.

Nevertheless, at the next election the democrats brought out a ticket in Tuskaloosa county to make direct fight, against Mr. Jemison on his tax bill. The ticket brought out was Judge Peter Martin, Capt. John G. Barr, and Moses McGuire who had just gone out of the Sheriffs Office. Judge Martin after making one speech declined and Elisha McMath was brought out to fill up the ticket.

Up to the time of opening the canvass no whig candidate had been announced. Capt. Barr attended several meetings of the tax assessor and addressed the people in the absence of Mr. Jemison who had not yet declared himself a candidate. In fact it was pretty broadly hinted that he was afraid to meet the issue. But in due time he announced himself and entered the canvass. I heard his first speech. It was on Saturday and at Marcumville, Capt. Barr opened the discussion by repeating his objections to the bill stating that he was simply urging the objections of the people to the law. That his own opinion was that the bill was infinitely better than any other tax bill the State had ever had but that the people were dissatisfied with it and he was simply carrying out their wishes in his opposition.

After Capt. Barr had concluded Mr. Jemison came forward, and the first word he uttered in regard to the tax bill, was that he did not appear before the people as the mere apologist of the bill, he came before them as its friend and advocate. He then took up Capt. Barr's objections one by one and showed their weak points, and by the time he had concluded, the cloud that had been thrown over his prospects had vanished like the morning mist. He admitted that there were defects in the bill, but they were such as could only be detected by the working of the law. When he came to answer Capt. Barr, in regard to his urging the objections of the people to the law, he was simply crushing. He told the people that his arm should fall paralized to his side; that his tongue should cleave to the roof of his mouth before he would attempt to ride into office upon their errors. That the duty of a statesman was to lead and not to follow popular sentiment. That if he formed public opinion taking the wrong direction it was his duty to throw himself into the breach and turn in the right way. At the close of the speech it was evident that there was an almost unanimous concurrence on the part of the people with sentiments he uttered.

The parties next met at North Port where a similar scene was enacted with still greater force. After this Capt. Barr positively refused to speak in the canvass until after Mr. Jemison had spoken. Mr. Jemison lead the whole ticket by a large majority receiving the largest vote he had ever obtained in the county.

1860, Mr. Jemison was elected to the convention called by Gov. Moore, in response to the resolution of the previous session of the Legislature. In that convention he was recognized as the leader of the conservative party. He voted first to submit the ordinance of secession to the people, being defeated in that he voted against the ordinance. After the passage of the ordinance of secession, and the convention began to fix up a Government, no man in the convention occupied a higher position than Mr. Jemison.

But for the war Mr. Jemison would certainly have been elected Governor, as the thing had all been arranged but the war disarranged the whole business.

It may be safely said of Mr. Jemison that in neither House of the Legislature nor any where else was he ever over-matched. No difference who threw the gauntlet if Mr. Jemison took it up the other party was sure to find a foreman worthy of his steel.

Notwithstanding the great efforts made by the Democratic party to get Mr. Jemison out of the way—and in fact that was the only object of the opposition to him—no man that I ever heard ever hinted that he was in any degree wanting in integrity. His most ardent opposers admitted that he was honest.

Mr. Jemison entered public life in the Senate in 1837 and closed in the Confederate Senate in 1865, covering a period of twenty-eight years. He was the third President of the Senate from Tuskaloosa county. Taking him all in all, I think he was the strongest man I have ever met in Alabama or elsewhere.

In the fall of 1871, Mr. Jemison died at his home in Tuskaloosa, after having sought and obtained the pearl of great price. He died Christian. He married Miss Priscilla Cherokee Taylor, sister of the late Hon. John T. Taylor, of Mobile. Some two years ago, Mrs. Jemison followed her husband to the unknown beyond. Their only surviving child is the accomplished wife of Hon. A. C. Hargrove.

Mr. Jemison left one monument that will be as enduring as the civilization of Alabama. I allude to the Alabama Insane Hospital. To Mr. Jemison largely more than to any one man in Alabam, is due the success of that enterprise which is certainly a source of pride to every true Alabamian.

I could say much more in regard to Mr. Jemison, but to do so would transcend the limits I have adopted for these sketches, I will therefore close by simply saying, that in all the elements of the true statesman, we shall rarely if ever look upon his like again.

[The Tuskaloosa Gazette, December 22, 1887.]

CHAPTER XXVI

In 1825 Tuskaloosa County was represented by Richard Inge, John L. Tindall, M. D. Williams and Seth Barton. Of Mr. Inge, I can only say that he belonged to a large and intelligent family, living in Tuskaloosa, Greene and Sumter Counties. Intellectually, the family was considerably above the average. But as I never knew Mr. Inge and never heard his Legislative course commented on, I cannot do more than state the fact of his election.

Seth Barton I never knew personally. He was a lawyer of good standing, had (as I am informed) several times aspired to a seat in the House, but without success. At one time he and Gen. Collins and one other whose name I do not remember were all tied for fourth man. But in 1825 he was elected. The old people used to tell a rather amusing anecdote about that election, and I will tell it as it was told to me.

At that time all the people in the county from Warrior River to the county line East and South of Tuskaloosa, voted at Jolly Jone's precinct. The people would gather in on Friday and Saturday before the election on Monday bringing with them their families, and camp on the ground. They had a very great dislike to Town folks coming up to influence the election. And the man that went from town, generally stood a pretty good chance to pick up a bit of a fight provided he did not stipulate before hand that he would not use any weepins, the other parties guaranteeing to him a fair fight, and from what I have been told many was the GEORGIA ROTATION enacted at that place under the stipulation above. I was told the people would drink and frolic all day on Saturday with an occasional fight, but as soon as midnight came they would call off and remained comparatively quiet until midnight of Sunday, at which time they would rise, and rouse up their fires and begin operations in earnest.

On this occasion Mr. Barton concluded he would go up and spend Saturday and Sunday with the sovereigns of the Piny wood region. He did so, and things passed off pretty well

until about sunrise on Monday morning when a difficulty sprung up between him and one Evan Howard. Howard was a man peaceably disposed, of fine physical strength, and unlimited courage. Taken all together it was not what might have been considered a desirable fight. But Barton did not flinch. He too was a man of strength and courage. After the usual stipulations against the use of weepins on one side and the assurance of fair play on the other, the parties hitched in the engagement. For some time the contest seemed doubtful, but Howard had the wind on Barton, who finally called out enough, or in the fighting phrase "nuff."

The combatants were separated and came to the branch close by when they washed off the blood and came back to the yard when they soon made friends, and the friendship of a Howard was no 'sham.' But now came the sequel. As soon as amity was restored between them Howard and all his friends let into working for Barton and you could hear it all over the ground "HURRAH FAR BARTON," he is not ashamed to fight a poor man. Barton carried the box by a large majority which elected him. He was elected again in 1828, which is the last time his name appears on the Legislative rolls.

Mr. Barton left Tuskaloosa and settled in New Orleans where he practiced law for a number of years. In 1844 he was rather prominent in his advocacy of election of Polk and Dallas, President and Vice President. Of course he was a Democrat.

If my memory is not at fault, he received some appointment from the Polk administration and there I lost sight of him.

In 1826 Harvey W. Ellis came to Alabama from Kentucky at an early day and settled in Tuskaloosa where he engaged in the practice of law. He was elected again in 1827, 1829 and last in 1833. In 1838 and again in 1839 he was the Democratic candidate for congress against the Idol of the Whig party in the District, Gen. George W. Crabbe. These elections have been sufficiently noticed in the sketch of General Crabb. Mr. Ellis's last appearance before the people was in 1849 for the Legislature of Tuskaloosa county.

He was brought out by the Democrats that year to head the ticket for the House in the great Presidential contest be-

tween Martin Van Buren and Gen. William Henry Harrison. And nobly did he bear aloft the banner of his party until born down by overpowering numbers.

Mr. Ellis was a man whose very appearance would impress you favorably. As a speaker he was attractive, making no effort at show, he presented his views to the people in a style simple and clear, appealing rather to the judgment than to the passions or prejudices of his hearers. As a lawyer he stood deservedly high both as a counsellor and advocate.

In 1842 Mr. Ellis died on his way home from Kentucky. He left his widow, who was a niece of Senator William R. King. I know of nothing of any other member of his family, if he left any.

Benjamin Whitfield came to Alabama from Georgia in the early history of Tuskaloosa county. He was a farmer rather well to do, and settled what is now known as "the Gay place," on Crabbe's creek, six miles north of Tuskaloosa. It was from this farm the people called him to represent their interest in the councils of the State. He was elected again in 1828. After this his name does not appear on the rolls. He afterwards moved to the city and kept a boarding house for students of the University.

Mr. Whitfield was a man of very strong common sense, which enabled him to comprehend the merits of most questions. In conversation, although a little dogmatic, still he was very interesting. It made but little difference what the subject of conversation was, whether discussing the propagation of the finer varieties of fruit, the raising of fine stock, or the political questions of the day, he was always interesting.

Mr. Whitfield lived to a good old age, and died about the year 1870, at his home, two miles south-east of Tuskaloosa. His moral and religious character was of the highest grade. He was for the greater part of his life a worthy and prominent member of the Baptist church. He was the brother of Gov. Whitfield, of Mississippi. He had a son and grand son to represent Tuskaloosa county in the Legislature, showing what very rarely occurs,—three generations of the same family representing the same county in the same House of the Legislature.

In politics Mr. Whitfield was an ardent Whig.

[The Tuskaloosa Gazette, December 29, 1887.]

CHAPTER XXVII

In 1827 Henry W. Collier, H. W. Ellis, Hardin Perkins and William H. Jack responded to the call of "the county of Tuskaloosa in the House."

H. W. Collier does not appear as a representative except at this session. As stated in regard to Mr. Barton, Judge Collier, Seth Barton and one other were tied at one election. In 1830 Mr. Collier was elected Judge of the Circuit Court for the third Judicial Circuit, which office he held until 1836 when he was elected an Associated Justice, which position he held until 1849 when he was called upon by the people to lay aside the Judicial Ermine and put on the Executive Mantle. He was elected Governor in 1849 and again in 1851, his public life ending on assembling of the Legislature in 1853.

Gov. Collier was a native of Virginia. After completing his education and obtaining license to practice law he moved to Alabama at an early day and settled in Huntsville with a view to practicing his profession. However, in a short time he left Huntsville, and came to Tuskaloosa where he continued to reside until the day of his death.

After stating the various high positions occupied by Gov. Collier, extending over a period of 30 years, the reader will not be surprised when told that he stood deservedly high in the estimation of the people. I never met Gov. Collier at the Bar, or on the circuit bench, he was Chief Justice when I first knew him.

As a Judge he ranked very high, and his opinions in the Reports of the Supreme Court show that he gave the subject diligent attention and profound thought, and if the young lawyer want to get well on the track of his case I can give him no better advice than to tell him to hunt up some of Chief Justice Collier's opinions bearing on the case, and he will be sure to find ample authorities to support his case. (If he had a good one.)

As Gov. it may be safely said that no man ever wore the Executive mantle more worthyly, or laid it off less wrinkled and soiled than did Gov. Collier.

I well remember the first time I ever saw him to know him. It was in the Sunday School at the Methodist Church. He was invited by the superintendent to make an important address to the children. He did so. His subject was "truth for the love of it." I was deeply impressed with his remarks.

The moral and religious character of Gov. Collier was surpassed by none. He was a member of the Methodist Church and in all his walk exemplified the true christian. As a citizen and neighbor he was all that the terms impart.

Gov. Collier married a sister of the late Alfred Battle, one of our most prominent citizens. Mrs. Mary C. Benagh and Mrs. William T. King, the two accomplished daughters of Gov. Collier, with their families, are the only representatives of the Gov. now known to me.

Gov. Collier died in 1855. The Legislature of 1855 passed some very complimentary Resolutions Commemorative of his life and public services. I felt it a privilege to record my vote in favor of their passage. It is needless to say that in politics Gov. Collier was a Democrat.

William H. Jack was a young lawyer of fine promise. He served only at this session. In 1830 he emigrated to Texas and I am informed participated in the Revolution of 1836. When and where he died I am not informed. His name is preserved in the name of one of the counties in the Lone Star State.

In 1812, Tuskaloosa county was represented by Seth Barton, Hardin Perkins, Benjamin Whitfield, and Willis Banks; all these have been noticed except Mr. Banks. Mr. Banks was elected again in 1829, which is the last time his name ever appeared in the list.

Mr. Banks came from Georgia, and settled in Tuskaloosa at an early day in the history of the county. He settled and lived at the place now occupied by Willie F. Fitts of the Banking House of James H. Fitts & Co. Mr. Banks was a planter of considerable means. He owned and cultivated a plantation in Mississippi while he resided in Tuskaloosa. He was a man of sterling integrity, of very fine sense, of liberal and charitable character. In every sense of the word he was a citizen of high

standing. The greater portion of his life he was a member of the Methodist Church.

Mr. Banks married the daughter of James Gray, a wealthy planter of Tuskaloosa county. Col. James O. Banks and Mr. Jeptha V. Harris, of Columbus, Miss., with their families, represented the name of Mr. Banks. In 1832 he died greatly respected by all who knew him.

In 1829 the representative of the county was M. D. Williams, H. W. Ellis, Hardin Perkins and Willie Banks, all of whom have been noticed.

In 1830 when the county of Tuskaloosa was called, Eli Shortridge, Thomas Hogg, M. D. Williams and Moses Collins appeared and took their seats.

Mr. Shortridge was a native of Kentucky. Mr. Garrett says he came to Tuskaloosa about the year 1830, but he must have come at an earlier date as he was elected to the House in 1830 and the constitution as it then stood required a residence of twelve months in the State before one could be eligible to a seat in the Legislature. He was elected again in 1834 and this closed his Legislative career. In 1835 Mr. Shortridge was elected Judge of the circuit court for the ninth Judicial Circuit. As a Judge he gave general satisfaction, nevertheless he only held the office for one term. The cause of this is given in Garrett's Book. It is simply the old story and need not here be repeated. The son of Judge Shortridge, Hon. George Shortridge, filled the office of Judge of the Circuit Court from 1845 to 1856. His grandson Hon. B. B. Lewis after serving in the Legislature was twice elected to Congress from Alabama and then President of the University of Alabama.

In politics Judge Shortridge was an unwavering Democrat. As a speaker he was said to have had but few if any superiors, his eloquence was of the highest type, and as an advocate he ranked very high, where he died I am not informed.

Of Moses Collins I know nothing whatever. He was never afterwards elected and I never heard him mentioned in connection with the Legislature. So I will simply pass him by.

[The Tuskaloosa Gazette, January 5, 1888.]

CHAPTER XXVIII

In 1831 Tuskaloosa county came out in a brand new Legislature dress, if I may use the term, hat, coat, pants and boots, neither of the gentlemen had ever occupied a seat in the House before, and but one of them, was ever afterwards elected. The representation was B. B. Fontaine, W. H. Terrell, J. R. Drish and J. Foster.

B. B. Fontaine was a merchant of high standing in Tuskaloosa. During my recollection he had two partners, first his brother-in-law Alfred Battle, and afterwards James Hogan. My father did his trading with each of these firms. If memory serves me right he left Tuskaloosa and went to Mobile and engaged in the Commission business with a Mr. Freeman, under the name of Fountaine and Freeman, during the Flush Times, and that their firm was no exception to the general crash of 1837. After that storm blew over, Mr. Fontaine resumed the commission business and about 1849 he formed a partnership with General Dennis Dent of Tuskaloosa. (This business continued for a few years, when Mr. Fontaine died in Mobile.) Mr. Fontaine was regarded as a first-class business man, and a man of high order of intellect. His moral character was above reproach. He was a member of the Methodist Church in Tuskaloosa, and I am told did as much if not more, than any one man in the erection of the present Brick Church in which the Methodist people of the city worship. And while memorial windows are the order it would have been very nice to have had one with Fontaine, Collier and Battle, three brothers-in-law, another with Ormond, Dent, and Vaughn. In old times it was a rare thing to note the absence of either of the six from their places in the Church. I can almost see them now in their particular seats, and I call to mind many a kind word spoken to me sometimes by one, and sometimes by another one of these pillars in the Church; and I remember how I appreciated them and how much they did encourage me. I now know but one of Mr. Fontaine's family, that was his son, John T. Fontaine, who still lives in Hale County. Mr. John Hudson, of Columbus, Miss., was a nephew of his. In politics Mr. Fontaine was a whig.

William H. Terrell was a farmer who settled in what is called Rice's Valley on the watermelon road six miles from Tuskaloosa. I think he was as near being respected by every man, woman, and child who knew him as any man I ever knew. I knew him long and intimately and if I ever heard an unkind word spoken of him I do not remember it and if I ever head him speak of any one other than in kindness I have forgotten it. He was county treasurer for Tuskaloosa County for about thirty years, and it may be safely affirmed that his bond added nothing to the safety of the funds, his integrity was above any bond. He was a man of extraordinary common sense, always calm. His religious proclivities was with the Baptist communication, though I do not think he ever united himself with the church. But his general walk in life made many people believe he was a member. Mr. Terrell died just before the war. His family is at present represented by those two estimable ladies of Tuskaloosa, Mrs. Prince and Mrs. Caldwell (who are his daughters) with their families, and also his grandson, William R. Walker.

John R. Drish, I think came from Virginia. He came to Tuskaloosa in its younger days and engaged in the practice of medicine, in which profession he soon obtained a degree of eminence that placed him in the front rank of Physicians in Tuskaloosa. How long he continued in the practice I cannot state. When I first knew him in 1841 he was only nominally in the business. He was elected again in 1832 and that was his last session. In 1843 he was nominated for the House by the Whigs of Tuskaloosa County, but failed of election by a few votes. He was never afterwards a candidate for any position.

After retiring from the practice of medicine Dr. Drish turned his attention to planting and building. He accumulated considerable valuable real estate in Tuskaloosa and vicinity. He also acquired a large plantation in Pickens county, Alabama, and in the adjoining county of Noxube, Mississippi, and did an extensive planting business thereon. In addition to this he did a considerable building business, embracing brick work, wood work and plastering. At the opening of the war Dr. Drish was looked upon as one of the wealthy men of Tuskaloosa. His large residence still stands on what is now known as the addition south of Tuskaloosa. I said at the opening of the war Dr. Drish was wealthy, but like most wealthy men of the Souht he was

involved enough to greatly embarrass his real estate, and he dying soon thereafter his estate melted away.

Dr. Drish was a man of high standing in all respects. He first married a Miss Washington who bore him one daughter. I remember the daughter in 1833, when she presented the "Flag" to the Florida Volunteers. His second marriage was with Mrs. McKinny, the sister of the Owen family of Tuskaloosa. Dr. Drish died about 1867. His widow survived him about seventeen years and died in 1884 probobly the oldest person in the county at the time of her death.

The only representative of the Doctor is his grandsons, Edmund and John R. D. King, the former a local and the latter an itinerant minister in the North Mississippi Conference, of the M. E. Church, South.

James Foster came to Tuskaloosa county, from Georgia, at an early day. There were several brothers of them, and they settled in what is still known as Foster's settlement. I only knew Mr. Foster from character. I do not remember ever meeting him. His reputation was one that his friends and relatives may well point to with pride. He was said to have been a man whose mind was well stored with the practical ideas of life. He was a worthy member of the Baptist church, which has always been one of the most prominent churches in the Baptist denomination in the county. It may be said of all the brothers of Mr. Foster, that they were men of a high order of intellect. And I suppose it may also be safely said that no one family in the county has furnished the country with as many first-class descendants as the Foster family, and the subject of this sketch has furnished his full share of such descendants. In proof of this it is only necessary to refer to his son, Rev. Dr. Joshua H. Foster of the University and his four or five promising sons. Also his oldest son Rev. John C. Foster and his promising family, Messrs. E. Collier and Luther Foster and their families, and then the Wilkinsons. All men of the right stamp. In politics Mr. Foster was a decided whig—he died somewhere in the early forties.

In 1832 the representatives in the House were Pleasant N. Wilson, Constantine Perkens, John D. Drish and W. D. Williams. Of Mr. Wilson I know nothing and can only give his name a place as one of the representatives of that year.

[The Tuskaloosa Gazette, January 12, 1888.]

CHAPTER XXVIIII

In 1833 H. W. Ellis, M. D. Williams, Jolly Jones and Thomas Williams were enrolled as the representatives of Tuskaloosa county.

Jolly Jones lived in the Piney Woods region of Tuskaloosa County. He was elected again in 1844. He was a Democrat of the Jackson School. He felt flattered very much at being called a leader in his part of the county. He was a man of medium ability, of limited education, and was one that believed that very little Legislation was necessary to enable the people to live and prosper. He was honest and upright as a citizen and filled the office of Justice of the Peace for a great many years. In the last year or two of his life his mind wavered a little. He was very popular in his section of the county, where lay the strength of his Democratic party. The Democratic leader used to carry very unfairly with the old Esqr. Whenever the party wanted to make a strong effort to elect its ticket it would be pretty sure to bring out Squire Jones knowing that his popularity would bring out the entire vote in the strong Democratic portion of the county, and that the voters, would vote the entire ticket, and in this way the party would get the benefit of the vote for the candidate it expected to elect, and would use the uncle Jolly swap off, consequently the old gentleman was never elected again after 1844. The last time I was at his house he showed me all the Public Documents that different members of Congress had sent him, and he seemed to prize the compliments very highly.

Squire Jones was a good citizen, and a kind neighbor. He died about 1849, his son Jolly, is the only one of the family, that I now know.

Thomas Williams left Tuscaloosa county, before I same to it, consequently I never knew much about him. He removed to Pickens county, where he was elected to the House in the years 1836-37. His Legislative history is entirely unknown to me, I think he was a Democrat.

In 1834 Dennis Dent, Eli Shortridge, Samuel G. Frieson, and Jolly Jones answered to the call of the County of Tuskaloosa.

Mr. Frieson, is deserving of notice. It has already been said that he was the wittiest, the biggest man, and the most perfect mimic that ever ran for any place of Honor or profit in Tuskaloosa county.

His avordupois was considerably over three hundred. His size of itself was sufficient to and did attract attention. In addition to this he could keep any sized crowd in an uproar of laughter all the while with his droll stories, and then he could mimic or imitate any thing in the world that could make a noise. It is told that on one occasion while he was in Mobile taking his meal at the leading Hotel in that city, at the dinner table there sat a young man sitting just opposite to him at the table which extended clear across the dining room. The young man directed the waiter to bring a particular part of the turkey which particular part had been called for by some other guest, the waiter returned the plate with the best that he could do under the circumstances, when the young man saw that he did not receive what he ordered he slamed his knife and fork on the table and with a loud imprecation against the waiter demanded why he had not brought what he had ordered?

Mr. Frieson called the same waiter and ordered him to bring him the particular part of the turkey, the waiter who seemed to understand him returned him his plate with something else whereupon he just took off the young man's actions so completely that there was an explosion of laughter from one end of the table to the other, which was joined in by all the other guests except the young man and Mr. Frieson, the young man biting his lips with anger while Mr. Frieson continued his meal as if nothing had happened.

In addition to these traits of character, Mr. Frieson was a man of fine service, was a good speaker and personally popular. Under all these circumstances I have always wondered how it was that General Crabb who was somewhat austere and General Dent who was very plain should have beaten him for the Senate.

He was elected again in 1835 and 36 which closed his Legislative career in the county.

He was afterwards appointed Post Master at Tuskaloosa under the administration of Mr. Van Buren, but he resigned that office, between the Presidential election of 1840 and the incoming of the new Administration. He was State Treasurer from 1840 to 47. He was for many years in connection with Hotel keeping in Tuskaloosa and on the Greensboro road. He built the Montery House a large Frame Building eleven miles from Tuskaloosa, Mr. F. M. Auxford resides at the place but the house was burned a few years ago.

Mr. Frieson died some where in the low fifties. He was generally respected. In politics he was a Jacksonian Democrat. He came from Tennessee to Alabama.

The representation in 1835 was Dennis Dent, S. G. Frieson, Abel H. White, and Jacob Wyzer.

Abel H. White, came to Fayette county (I think from Georgia) at a very early day. There was a large family connection of the Whites, Thorntons and Sparks. They settled on New River, and formed a very important element of the society of that portion of the county.

Mr. White came to Tuskaloosa county about 1830, and settled in what is known as 'Kentuck.' He was several years the keeper of the Warehouse at that place. In 1834 he built the Globe Hotel, on the lot where Mrs. Maxwell now resides. It was a large frame building, with lower and upper piaza, reaching to the side walk. The house was burned the first year of the war. In 1836 he built as a residence the house where I now live, and resided there until 1840. I cannot say what stand he took in the Legislature. I do not think he was ever a candidate again. He engaged in merchandizing but was unseccessful. In 1840 he emigrated to Texas, where he lived until some time after the war, when he died. Mr. White was a man of pleasant manners, and easily approached by the people: was practical and capable of making a safe and prudent member of the House—which I presume he did.

Jacob Wyzer served but this term in the Legislature. I know nothing of his antecedents—and cannot tell where he went from Tuskaloosa. He left the county before I came to it.

In 1836 Tuskaloosa county sent to the House a full team of her strongest men. The roll stood George W. Crabb, Dennis Dent, Harvey W. Ellis and S. G. Frieson. Two Whigs and two Democrats. These have all been noticed but I will add right here that it is rarely the fact that any county is represented by four men of more ability.

[The Tuskaloosa Gazette, January 26, 1888.]

CHAPTER XXXI

In 1838 Benjamin F. Porter, Dr. Reuben Searcy, Jabez Mitchell and M. D. Williams answered to the call of the roll from Tuskaloosa. It has already been stated that Dr. Searcy was a candidate for the Senate at a special election in 1837, but was defeated by a close vote by Col. Robert Jemison. I do not think he was ever a candidate again, unless it was in 1839—I know he was never in the field after that.

To write about Dr. Searcy to be read by the people of Tuskaloosa county, where he was so long and so intimately known and so universally beloved, is truly a difficult task.

If I am not mistaken, Dr. Searcy told me he studied medicine in the office of the late Dr. James Guild, and perhaps at one time practiced in connection with Dr. Guild. Of this, however, I am not certain. He afterwards settled at Carthage, where he practiced his profession with satisfactory success. Afterwards he returned to Tuskaloosa, where, for more than a half century, he answered to the call of suffering patients.

As a physician, Dr. Searcy ranked high, and his professional popularity never waned as long as he lived. I was not acquainted with him personally until after 1840. I cannot, therefore, speak of his capacity as a legislator, more than to say that I always heard it said that he was regarded as a member of fine practical ability. This, added to his general urbanity of deportment, made him a very influential member. I never heard Dr. Searcy speak, so cannot say how he ranked in that line.

As a citizen, Dr. Searcy had no superior. He was all that the words high-toned, christian gentleman would import, and if he ever had an enemy in Tuskaloosa county, or elsewhere, I never heard of it.

Dr. Searcy was a Democrat of the liberal school, yet firm and decided in his political views. He was for more than half a century a zealous and devoted member of the Presbyterian Church in Tuskaloosa, and I suppose no member added more to

the good influence exerted over the community by that church than he did. But it is impossible to write of Dr. Searcy as I desire. It is but recently that his form was seen on our streets, and his face so radient with the smile of friendship for every one he met that it seems hard to realize the fact that we shall see his face no more.

Dr. Searcy died in the fall of 1886, somewhere in the small eighties. He was universally esteemed in life and universally lamented in his death. The representatives of the family are too well known in Tuskaloosa to need any mention in this sketch.

Jabez Mitchell came to Tuskaloosa from South Carolina. It has already been said that he lacked a few votes of an election in 1837. But in 1838 he was triumphantly elected. He was elected again in the following years, 1839, '40, '41, '43, and '44; making in all six elections out of seven races. He was not a candidate in 1842, nor was he ever a candidate after 1844. He married the daughter of Thomas B. S. McGehee, one of our most respected citizens. Mr. Mitchell died, I think, in 1845. He was a man of very fine sense, and on the hustings or in the Legislature he was regarded as a debator of extraordinary ability. He was a fine looking man, while every lineament of his countenance said to the world, "there is truth here." In his discussions on the hustings he was courteous and kind, and it was conceded by all that whenever Mr. Mitchell stated anything as a fact, there was no use of any further inquiry. It was sure to be true.

In 1839, when the county of Tuskaloosa was called, John D. Phelan, Jabez Mitchell, M. D. Williams and B. F. Porter came forward and took the oath of office. This was Mr. Phelan's only term from Tuskaloosa county. He made the race again in 1840 as the "Right Bower" of Harvey W. Ellis, but was bourne down by the Whig avalanche of that year. He had previously served two terms in the House from Madison county. At the session of 1839 he was made speaker of the House, which was the first and last time that honor was given to Tuskaloosa county. This fact is attributable to the other fact that Tuskaloosa county usually sent Whigs to the Legislature, and the State being Democratic, the county was ruled out.

In 1841 Mr. Pohan was elected Judge of the Circuit Court, for the first Judicial Circuit, and continued in that office until 1852, when he was succeeded by Andrew J. Moore. In 1852 the Supreme Court was reorganized and made to consist of five members, Judge Phelan was elected as one of the additional Judges. This arrangement lasted but two years, at the end of which time Judge Phelan was dropped out. He was afterward appointed Clerk of the Supreme Court, which position he held until 1863 when he was again elected Judge of the Supreme Court, and continued in that office until Reconstruction remanded him to private life. In all these positions Judge Phelan so discharged his duties as to show that the honors conferred upon him were worthily worn. As speaker of the House he gave general satisfaction, and so of his deportment on the Bench.

As a speaker he was clear and forcible. As a speaker he ranked deservedly high. He was many years a communicant in the Episcopal church. The last time I saw Judge Phelan was 1874. He was highly elated at the success of Gen. Houston in that year. Some years after that he died, I think in Birmingham, Alabama.

In 1840 was the great political year. I suppose no period in the history of Alabama was of more solicitude. It was the year when the people from Maine to Louisiana, were aroused almost to madness in an almost united assault upon the strongly fortified citadel of Democracy.

Tuskaloosa yielded to no county in the state in the efforts made to storm the fortress.

In that year the entire Whig ticket was elected, Robert Jemison, Jabez Mitchell, Hardin Perkins, and Capt. James G. Blount were the successful candidates. These have been noticed except Capt. Blount. The canvass has been sufficiently noticed in the sketch of Col. Jemison.

The only public position held by Capt. Blount so far as I know was one term as sheriff and one session in the Legislature. In addition to this he commanded one of the volunteer companies from Tuskaloosa county in the Florida war. I always understood that he was put upon the Ticket in '40 on account of

his great popularity with the people. He was a man of integrity, of good practical sense, but not gifted as a speaker. Somewhere in the forties Capt. Blount died. He was at one time pretty well to do in life, but the sheriff's office proved too heavy for him. He was ruled in several cases for taking insufficient replevy bonds where he had levied stocks of goods and the cases going against him his property was taken away. A son of his, Robert P. Blount, was afterwards elected clerk of the county court. I remember very well hearing a great many voters say. "I am voting for the old Captain," when they were depositing their ballots for the son.

[The Tuskaloosa Gazette, February 2, 1888.]

CHAPTER XXXII

In 1841 Tuskaloosa county sent up to the Houst as representatives the following gentlemen to wit: Robert Jemison Jr., William R. Smith, Jabez Mitchell and Hardin Perkins, all Whigs. These five candidates that year, Mr. Robert P. Frieson was the unsuccessful aspirant. The Democrats ran no candidate that year. These Representatives have all been noticed, except Mr. Smith. He was elected again in 1842. It has already been stated that he was defeated for the Senate in 1843 upon a close vote. Up to this time Mr. Smith had not actually severed his connection with the Whig Party. But in 1844, when, Polk, Dallas and Texas was the rallying cry, Mr. Smith publicly announced his intentions to act with the Democratic party and was one of the candidates for the House but he was defeated by a few votes. In 1845, he removed to Fayette county to practice his profession. Shortly thereatfer he was elected a Brigadier General of the Militia. He afterwards made ten successful races for the Senate against Daniel Coggins. In 1850 he was elected Judge of the circuit court over the incumbent Hon. Samuel Chapman, that being the first election of Judges by the people. In '51 he was elected to Congress from Tuskaloosa District. In that election the question of Secession and Union formed the priciple issue of the canvass, Col. Erwin did not come out openly for secession but his speeches were such as to enable his opponents to place him in that catagory. And then his principal supporters were favorable to that course. Col. Erwin was a man of high order of intellect, was a fine speaker, and could speak all day, and spoke very loud. Judge Smith entered the canvass with the entire Democratic Press of the District against him, and it did look like leading a forlorn hope. Col. Erwin made one mistake that defeated his election. He refused to recognize Judge Smith as a competitor, refused to divide time with him on several occasions occupied all the speaking time of the day with the evident intention of preventing Judge Smith from speaking . At North Port he spoke until sunset. This manifest unfairness lost him at that and other places votes enough to have elected him. I said the entire Democratic Press was against Judge Smith, and it would now amaze and amuse one to read what these papers had to say

about him. These same papers but a few years before had lauded to the very skies the self sacrificing patriotism of Judge Smith, when he was throwing his vollies of political shot and shell into the ranks of his former Whig Allies. But now there was nothing too hard to be said of him. One case I will mention. Judge Smith had held the Spring Term of the circuit court of Green county. At that court the absorbing cases of the State vs. Croom and May for the murder of Sam Harris came up upon an application for bail. Judge Smith declined the defendants bail, and the case was taken to the Supreme Court, which court held that the defendant was entitled to bail, and directed the circuit Judge to grant the same. Judge Smith being in the canvass the defendants in custody of the sheriff met him at one of the appointments where he fixed the bail at twenty thousand dollars each, which being promptly given the defendants, were discharged. The democratic papers all over the District raised a perfect howl against Judge Smith, for granting bail. "The Tuskaloosa Observer" anticipated its regular issue and came out early on Monday morning of the election and actually made the ridiculous charge the Croom and May had gone to parts unknown, and charging Judge Smith with aiding them to escape justice. Judge Smith was elected by fifty one majority. At the risk of being tedious I will relate an incident connected with that election. News came from Sumter that Erwin had carried the county by one hundred and thirteen votes which elected him about fifty votes. Thereupon a company of Democrats headed by Capt. John G. Barr had the cannon rolled out on the hill and had provided themselves with cartridges sufficient for a grand jollyfication. But just as they were leaving the stage rolled up bringing the news that Erwin's majority in Sumter was only thirteen. This transposed the majority and there was no "booming of cannon" that night.

In 1853 Judge Smith was again elected in a regular race with Gen. Sydenham Moore, a regular Democrat, and Col. Stephen F. Hale, a Whig. This election was also a close one.

In 1855 Judge Smith ran as the American or Know Nothing candidate. Gen. Moore was nominated by the Democrats, and they had a rather warm canvass, but the Judge led out about fifteen hundred votes ahead.

But in 1857 Gen. Moore about transposed the majority of 1855, and led Judge Smith nearly fifteen hundred. In this canvass Judge Smith allowed General Moore to put him on the defensive. The Judge was detained at Washington during the Buchanan-Filmore canvass of 1856. He was selected by the American Party to FRANK the campaign documents sent out to the country. Gen. Moore got up a few of these documents and selected some few sentences from them which he contended were anti-Southern in sentiment. These sentiments he charged against Judge Smith on the grounds that by his FRANK he had endorsed all that was in the papers. Judge Smith, I think made a mistake in not boldly defending the papers read against him. Instead of this he pursued the apologetic course, and Gen. Moore used it much to his disadvantage. I will here state a rather remarkable fact connected with the two elections. In 1855 Judge Smith was elected by a majority of near fifteen hundred votes. In 1857 Gen. Moore beat Judge Smith nearly fifteen hundred votes, while in 1857 Judge Smith lacked about 300 votes of getting as many as he did in 1855. Where Gen. Moore's large vote came from was the object of some thought at the time.

Judge Smith's next public position was in the secession Convention of '61. In that body he took strong conservative graund,—voted against the ordinance of secession and refused or declined to sign it after it had passed. He wrote and published a history of debates of that Convention, a book that will always stand high as part of the history of those exciting times. During the first year of the war Judge Smith raised a regiment of Confederate soldiers, and was appointed Colonel, which position he held until he was elected to a seat in the Confederate Congress, in 1861. He was again elected in 1863, and this was the last public position the Judge ever held.

Judge Smith is, and has been a remarkable man. But as I have not space for a more extended notice of him, I will speak of him only since my personal acquaintance with him, which may be said to date from 1840. In 1840 he attended the great Whig Convention in Nashville, Tennessee, at which Henry Clay, and John Crittenden spoke. The Convention was presided over by Hon. Ephriam H. Foster, of Tennessee. Judge Smith wrote and published a poetical description of the great gathering of the People, which he named "Hard Cider:—A Poem." In that little book he decribed in beautiful verse the roads from every

direction leading into Nashville, teeming with hundreds of people, all making their way to the city to hear the great men who were expected at the meeting. Describing the scene on one of the pikes he opens his poem thus:

"I heard a gentle maiden say,
I'm tired of taking toll to day
Who ever saw the like before.
See yonder comes a hundred more."

After getting the convention assembled, he takes and beautifully describes the speeches of the different speakers first Foster on taking the chair and finally the great speech of Mr. Clay.

And then Porter the seven foot Kentucky giant rolling the great Whig Ball through the streets of the city. Taken all together it was a Poem well worth preservation. But it was lost. When I was in Nashville, a few years ago, an eminent lawyer, a nephew of Senator Foster told me he was anxious to get a copy of the poem.

As a lawyer, he in early life took a high stand which he fully manitained through his entire practice. As a speaker either in court or before the populace he had but few equals. Both in civil and criminal cases he was an opponent whom his antagonist had cause to dread. His style was beautiful and generally so interspersed with quotations, which showed that he was fully at home among the classics.

As a member of congress his published speeches showed that when he spoke he generally had something to say, and what he said was always to the point.

Judge Smith had dealt considerably in Literature, the notice of his efforts have generally been very favorable but not being a literary man I decline expressing an opinion.

It may be safely stated that no Congressman ever paid more devoted attention to the local wants of his constituents than did Judge Smith.

Judge Smith first married a Miss Binion. After her death he married a Miss Murray, and after her death he married Miss Easby, of Washington City, his present wife. Judge Smith still lives somewhere in the seventies.

For a more full account of his early life the reader is referred to Garrett's Book.

[The Tuskaloosa Gazette, February 9, 1888.]

CHAPTER XXXIII

In 1842 there were quite a number of candidates for the House. I do not call to mind the names of all of them. The successful ones were William R. Smith, Wm. P. Merriwether, Marion Banks and B. F. Porter. It took the official count to decide between Judge Porter and Gen. James G. Carroll, for the fourth seat, which was the only time the Judge was ever crowded in the race.

W. P. Merriwether, was a farmer well to do in life. He was a Democrat, but had many strong personal friends and some influential relation in the Whig party. He was a man of fine practical sense, but would not speak. In canvassing he would mix with the people, in a quiet way and was popular The leading Democrats thought they had certainly found a TRUMP card in the person of Mr. Merriwether and they determined to play it as long as they could. He was elected again 1843, he and W. B. Huntington beating two of the Whig nominees, viz Dr. Drish and John L. Foster. He was elected again in 1844, he and Judge Peter Martin dividing the honors between themselves and Robert Jemison Jr., and Jabez Mitchell, defeating two of the Whig candidates, viz: Abner Winn and Edmond Prince. Mr. Merriwether in the canvass of 1844, aroused such a Whig opposition to him that he was never afterwards elected He was not a candidate again until 1847, when he was beaten by a large majority, and he was never afterwards before the people. In the Legislature Mr. Merriweather took a fair stand as a plain working member. As before stated he was a man of good sense, he was fine looking, well preserved man, was a good citizen and neighbor. Sometime in the fifties he moved to Mississippi, where he probably still lives I saw him some ten years ago, and it seemed that time had made but little impression on his physical appearance.

Marion Banks made his debut in the Legislature at this session. He was elected again in 1843, and again in 1851. In 1849, he was defeated by a few votes by Moses McGuire. He was never a candidate except in the years stated. Major Banks was a bachelor, was very popular, having no personal enemies

in the county. If I am not mistaken at his first race he led the entire ticket, by a considerable majority. In the House he took a very fine stand, was not at all ostentatious, but as amiable and courteous to all. His speaking qualities were considerably above the average He had, however, two defects to contend with in that line. One was a slight impediment in his speech, the other, as a timidity that really amounted to bashfulness.

Major Banks was a native of Georgia, he came to Tuskaloosa in early life, and was educated at the University of Alabama, and stands number two, on the roll of graduates of that Institution. He was a planter well to do in life. In politics, he was a Whig of the purest water and he never outlived the conservatism of that grand old party. He took strong ground against secession in 1860, and often predicted the destructive results of what he considered the rash policy of Mr. Yancey and his adherents.

After the war Major Banks was conservative, desired to see the country settle down to its original quiet as soon as possible.

Major Banks as one of the public men of the country, who was never called upon to explain or defend any act of his public or private life.

Some two years ago he died, very suddenly at his home in Tuskaloosa, and I suppose I may truthfully add, not leaving an enemy behind him.

In 1843 the representation from Tuskaloosa county stood Bakus W. Huntington, Marion Banks, Jabez Mitchell and W. P. Merriwether, two Whigs and two Democrats It was in this year that the Democrats raised the cry against convention nominations for members of the Legislature. There was no exception to the rule on the Democratic side; the candidates of the party, all joined in and helped to swell the chorus of "down with nominating conventions for every thing below members to Congress." The result was that two of the candidates nominated by the Whig County Convention were beaten. And here I may state as a part of the history of the times, that from 1843, no county convention was held in Tuskaloosa county to nominate candidates

for either House of the Legislature, until 1870, when Prof. Wyman and Col. Clements were nominated for the House. In 1860 the Secessionists and Co-operatives, each held conventions or rather public meetings to select delegates to what is known as the Secession Convention of 1861, the former nominating Dr. Manly and A. S. Nicolson, and the latter, Robert Jemison, Jr., and Judge William R. Smith.

But to return to the members elect this year. They have all been noticed except Mr. Huntington. Bakus W. Huntington came from some where in New England, about the year 1838, and settled in Tuskaloosa. He was a young lawyer of very fine promise He was rather boyish in appearance, but when he attempted to speak he always made a fine impression as a speaker As a lawyer, he always ranked well. On the hustings he had but few equals, and but for his apparent, or real domineering disposition, would have been very strong. This habit very frequently put him at a disadvantage in the discussions in which he engaged, and lessened his influence with the audience he as addressing. Still he was what the world calls a brilliant young man He was the law yartner of both Joshua I. and Pete Martin He married the daughter of Daniel M. Riggs, who was once cashier of the State Bank. In 1845 he announced himself for Congress against the incumbent, W. W. Payne, and his opponent, Col. John Erwin. But after sounding the political waters, he concluded they were too deep for him, so he withdrew from that triangular race, and announced himself a candidate for the House, from Tuskaloosa county. In that race he was beaten by a considerable majority. After the election of Mr. Lincoln Clarke, Judge of the Circuit Court, a vacancy was created in the Tuskaloosa delegation. Mr. Huntington made an unsuccessful effort to be elected to that vacancy, but the people of both parties had about settled on Dr. James Guild for that place, and Mr. H. withdrew from the contest. This was his last effort in Tuskaloosa county.

He then left Tuskaloosa and went to Livingston, in Sumter county. In 1852 there was a vacancy on the circuit court bench, and Mr. Huntington was elected Judge of the Seventh Judicial Circuit. As Judge he soon became very unpopular, the people thought him overbearing, and at the same time wanting in that dignity that should adorn the man who presumed to wear the

Judicial Ermine. In about two years he resigned his office of judge and left the State and has never returned.

After leaving Alabama, he settled in the city of New York, where I am told he formed a very advantageous partnership in the practice of the law. In that partnership he was to appear only the role of the advocate, either before the court or the jury—his partner furnishing the brief both as to the law and the facts. In this role he could certainly have shown to great advantage. But, alas! it is the old story so often repeated. Excessive use of wines and liquors led to the passion for play, and the two together will put any man down. The last I heard of him he had lost his position in the partnership, and was indulging rather freely in the beverages that never fail to work the ruin of those who make the experiment. These are things which I dislike to record, but I am trying to write the truth, and would raise my feeble voice and say to all young men, especially to those who are aspiring to promotion in life, beware of the intoxicating cup. I hope there is no fanaticism in that.

Judge Huntington was the first Circuit Judge I ever appeared before as a lawyer, and his courtesy to me was such as to always impose feelings of kindness towards him on my part.

In addition to being a fine lawyer and fine speaker, Judge Huntington got off some very beautiful poetic effusions. What finally became of him I do not know. In politics Mr. Huntington was a decided Democrat, and although from New England, while in the South, he took extreme Southern ground on the great sectional question.

[The Tuskaloosa Gazette, February 16, 1888.]

CHAPTER XXXIV

The election of 1844 in Tuskaloosa county was one of considerable importance. It was the year of the Presidential election, and of course was attended with more or less excitement. (I will notice the Presidential elections with their incidents in a separate number of numbers.)

The delegation from the county that year in the House, stood Robert Jemison, Jr., and Jabez Mitchell, Whigs, and William P. Merriwether ,and Judge Peter Martin, Democrats, the four covered by not exceeding thirty votes with Judge Smith and Abner Winn, close up to them. This result was claimed by the Democrats as a decided triumph in the old Whig county of Tuskaloosa, and their exultation was very great. The Whigs tried to explain away the result, but the people generally regarded it as a victory for the Democratic party. The successful candidates have all been noticed except Peter Martin.

Judge Martin came from North Carolina to Alabama, while she was a territory," and was admitted to practice in the Territorial Courts in 1818. He was elected Solicitor of the Fourth Judicial Circuit in 1819. In 1825, he was elected to the House from Franklin county, which seems to be his only session of the Legislature until 1844. He was afterwards elected Attorney General for the State, but I have not the date of his election, or how long he filled the office. The first I ever heard of him as a lawyer, was his being brought to Fayette county, to defend a negro man charged with a capital offence. He was unsuccessful, and his client suffered the extreme penalty of the law. In 1836, he was elected Judge of the Corcuit Court for the Tuskaloosa Circuit, which office he filled until 1843, when he resigned, as I then understood on account of the reduction of the salaries of circuit judges. His election in 1844, and service at that session closed his public services except a short time as bank attorney.

Judge Martin was the first circuit judge I ever saw, and the first time I saw him he was holding the first circuit court I ever attended. As a judge he was highly esteemed for his right and impartial administration of justice. To most people he had

the appearance of austerity, but upon a closer acquaintance, with him he was found to be as gentle and tender as a woman. In his day he ranked as one of the foremost lawyers of the State. To me he seemed to be one of th emost searching lawyers on the cross examination of a witness that I ever saw in court. As a speaker, while not to say a pleasant one, he was alawys interesting, and was really a very fine advocate. His influence with the jury was very great, and his popularity with the people was almost unlimited. In my first intercourse with Judge Martin was a Democrat. His Democracy was of the Jack-
him. I suppose simply on account of his political power on the opposite side of politics to mine. But as I became better acquainted with him and learned to know him as he really was, my friendship for him was unlimited, and I had the assurance that it was reciprocated on his part. I have already said that Judge Martin as a Democrat. His Democracy was of the Jacksonian type, and you never had to hunt for him when the question was at issue. But while he was bold and decided in his own convictions, he granted the same privilege to his opponents. It made no difference how fierce the contest, or how much the sparks flew from the clashing steel with his opponent either at the bar or before the people. When the contest was over he was all right.

Judge Martin was successful in life. He had up to the war accumulated a very handsome fortune, and was in very easy circumstances. But the results of the war very greatly diminished it. But he was not permitted to see the end of the struggle. I think he died in the early part of 1863. His family in Tuskaloosa is represented by his two grand-daughters, Mrs. Wolsey VanHoose and Miss L. Martin. Almost all the family have crossed over the dark river. In 1845, Tuskaloosa county was cut down to three member in the House. The delegation elected at the regular election was as follows: Abner Winn, B. F. Porter and Lincoln Clarke. It has already been stated that Mr. Clarke resigned his seat before the meeting of the Legislature on being appointed circuit judge, and Dr. James Guild was elected in his place.

Lincoln Clarke came to Alabama from one of the Northern States. He first settled in Pickens county, which he represented in the House in the years of 1834 and 1835. After this he came

to Tuskaloosa and formed a law partnership with E. W. Peck, which partnership continued until 1845, when Mr. Clarke was appointed Judge of the Circuit Court. I do not think I would overstate the fact in saying this was one of the strongest law firms in the State. To say Mr. Clarke was a very fine lawyer would be simply stating the universal opinion of the courts, the bar, and the people. The first time, I was ever in a circuit court, I found him as the most prominent lawyer at the court.

Mr. Clarke was never a candidate in Tuskaloosa county but one time. Being appointed by Gov. Fitzpatrick to the circuit judgeship, he stood for election to the same office before the succeeding Legislature. But in this he was not successful. He had in his canvass for the House although a Democrat of the purest water openly espoused the cause of Chancellor J. L. Martin, the Independent Democrat against Hon. Nathaniel Terry, the regularly nominated candidate of the party for Governor. Many Democrats in the Legislature smarting under the first defeat of the party nominee in a gubernatorial contest took strong grounds against him and he was largely defeated. This ended his public life in Alabama.

In 1847 he was warmly supported by his friends in the Democratic Congressional Convention for the nomination for Congress, and was leading canddiate before the convention, but could not get the required two-thirds vote. On the second day of the convention some raised the question that Mr. Clarke was not exactly sound on the slavery question, the then question of all questions, he was quietly dropped out.

In 1848, Mr. Clarke left Alabama and settled in the city of Dubuque, in the State of Iowa. He at once became prominent in the Democratic party. In 1852, he was on the electoral ticket, in that State, and cast his vote for Pierce and King. In 1853 he was elected to Congress as a Democrat, which session seems to have closed his public services. As a member of Congress he was conservative, and notwithstanding the fact that some of his friends feared to trust him on the slavery question even from Alabama, his course in Congress showed that he was a true friend of the South.

Mr. Clarke was a hightoned Christian gentleman, and was for many years an elder in the Presbyterian church. If I am

not mistaken he as led to seek religion under the preaching of the Rev. Joseph Travis, a distinguished Methodist preacher from South Carolina. As an advocate in his profession, he justly ranked very high, and, frequently, his efforts would be compared to the sermon of some distinguished divine, his sentiments being so lofty and pure. I have frequently heard them called sermons.

Mr. Clarke lived to good old age, and died a few years ago, full of years and full of honors.

Abner Winn was a native of Georgia and came to Alabama, somewhere in the high up twenties. He was at the time of his election a local preacher in the Methodist church. He was a very decided Whig. He was a candidate in 1844, but lacked two votes of an election, but in 1845, he led the entire ticket by considerable odds. He served that session to the entire satisfaction of friends, but could never be induced to become a candidate again.

Mr. Winn was a man of limited education even as an English scholar, but was of extraordinary fine sense. He had never participated in public life, but in the canvass of 1844, he astonished everybody except a few of his intimate friends, by the force of his speeches. The leading state question of that canvass, was whether the congressional districts, should be formed on the Federal basis, or strictly on the white basis. Mr. Winn contended that the Federal basis should govern, and in the discussion he showed himself the equal of Judge W. R. Smith, or Judge Peter Martin, who took the opposite side. In this canvass this question as frequently asked of Mr. Winn's friends. "Where have you had that man hid out?" As a preacher he was very strong, had a sweet voice, and his language was often pathetically beautiful. In prayer he was the equal of any man I ever heard. In 1856 he was elected treasurer of the county. But that ever vigilant foe to human life, consumption, had marked him for his prey, and in November of 1857 he died at his home in North Port, leaving behind him the unmistakable evidence that all was well. It has been said by some one that "the good die well." It was so with him. Mr. Winn married Mrs. Nancy A. Findley, a daughter of Robert Cook, who was one of the Democratic candidates for the House in 1840. His widow died in 1884, she was a highly respected lady.

[The Tuskaloosa Gazette, February 23, 1888.]

CHAPTER XXXV

The session of 1845 was the last session of the Legislature held at Tuskaloosa. By the constitution of 1819 and the act of the Legislature, the seat of Government was permanently fixed at Tuskaloosa, and could not be changed except by an amendment to the constitution. The constitution also provided for annual elections of members and annual sessions of the General Assembly. The settlement of the Indian Territory, in the eastern part of the State, had given that section greatly increased strength both in the Legislature and in the popular vote. And as that power increased that section began to clamor for the removal of the State capital. The first effort made in the direction was at the session of 1838. Mr. Walter H. Crenshaw a rising young man from Butler county, introduced in the House, resolutions calling a convention to revise and amend the constitution. The leading object of those resolutions as to so amend the constitution as to strike out the provision, permanetnly locating the seat of government. The resolutions passed both Houses, but upon being submitted to the people at the eletcion in 1839, they were voted down, I think by a large majority. The question then slumbered until the session of 1844, when joint resolutions were passed proposing two separate amendments to the constitution to be voted on at the general election of 1843. The first proposed to amend simply by striking out Tuskaloosa as the seat of government. It did not propose to insert any other place. The object of this course was very apparent. If the location was left blank the influence of every section that had the slightest hope of getting the capitol would vote to ratify the amendment. In this way that proposition secured the Constitutional majority of the votes of the people. But the counties voting against it had elected members enough to defeat a ratification in either house.

The proposed amendment was to change from Annual to Biennial election and sessions of the Legislature. This amendment received a majority in every county in the State except Tuscaloosa. (As I now remember.)

Upon the meeting of the Legislature the friends of removal subordinated every other question to the previous one of re-

moval. In order to catch as many of the anti removal members as possible, they so framed the resolution ratifying the two amendments as to embrace both amendments in one single resolution of ratification. The opponents of removal made every effort in their power to get a division of the question. The point was ably argued, that the amendment proposed had been voted upon by the people, separately, that in order to a compliance with the constitutional requirement they must be ratified separately. But the speaker Andrew B. Moore held that proposition could not be divided and removal men being in the majority sustained the ruling of the speaker, and the contest was on that basis. Upon the first vote neither house voted to ratify the amendment as proposed. It was then proposed to ratify the amendment making the elections and sessions Biennial, but the friends of removal said "no gentlemen; you must give us all or you cannot get any." In the mean time motions to reconsider the first vote taken on the ratification resolution had been made and were pending. This action brought up the question to some of the North Alabama members should they lose Biennial session or vote for removal; several of them decided to vote for removal rather than not have Biennial sessions. I have said that all the friends of removal had united to pass the ratification resolution. But after the passage of the ratifying resolution, the removal forces became divided, as there were several places looking to the possible location of the capitol within its limits. When the question of location came up there were eight places voted for all in South Alabama except Huntsville and Tuskaloosa. But in fact none of them were prominent, except Tuskaloosa, Wetumpka and Montgomery; 16 ballots were had by the joint convention, on the 16th ballot vote stood Tuskaloosa 39; Montgomery 68; Scattering 23. So Montgomery having received a majortiy of all the votes given it was declared to be the future seat of Government for the State of Alabama, and whether the name Alabama really signifies "Here we rest" or not the seat of Government has quietly rested on the banks of the beautiful river of that name for forty years and from present appearance it would seem that it will be many years before its rest shall be disturbed.

The location in Montgomery is certainly a beautiful one. Elevated on a prominent eminance it overlooks the entire city, and the river making a very short bend at the city, it lies out at

the capital as two beautiful rivers, each of which is seen for a considerable distance, and in the old days of Steam Boating the scene on the river was grand. And I do not suppose I hazard anything by saying that the building presents as fine appearance as any building in the country to the cost of it. In addition to its overlooking the city and river above and below the city. You have a beautiful view — certainly presents a grand appearance.

As an inducement to the Legislature to locate the Capital at Montgomery, the city proposed to erect and present to the State free of charge on ground to be obtained by the city, a House and surroundings equal or superior to the one at Tuskaloosa This was done and before the next meeting of the General Assembly the State Archives were all moved to the new Capitol and all things arranged for the first session of the Legislature at that place. On the first Monday in December, 1847, the first Biennial session of the Legislature assembled in the city of Montgomery. Of course everything was done that a wealthy, liberal and refined population could do to give the event that prominence which the occasion required. And I may here say that the people of Montgomery were not in the habit of allowing themselves to be out done in such matters. At that session each of the old parties held their convention preparatory to the Presidential contest, 1848. While the Whig convention was holding a night session the great Chandelier in the centre of the Representative Hall fell with a terrible crash.

Fortunately no one was hurt, but several prominent gentlemen had been together in conversation at the very spot where it fell, but a moment before. Some of the Democratic papers twitted the Whigs on the idea that falling Chandelier was an omen of defeat in the race. But in this they were mistaken, as we shall hereafter see.

In 1847 the Whig party of Tuskaloosa county elected its entire ticket to the Senate and House. The delegation stood for the Senate Gen. Dennis Dent, and for the House, Robert Jemison, Jr., Benj. F. Porter and Hardin Perkins, a very strong delegation, not surpassed by any other county in the State. In the election of that year, the Democrats made a special effort to elect Capt. Jno. G. Barr, a very brilliant young man,

a graduate of the University. The young men of the city of Tuskaloosa and Northport, a majority of whom were Whigs, to a considerable extent united in his support, and the prospect seemed fair for his election. But the people of the county were unwilling to throw overboard the well tried veterans of the past and take up an untried young man, simply because he was brilliant, and subsequent events showed that the people acted wisely. The successful candidates in this election have all been noticed. I suppose it will not be out of place to say a few words about Capt. Barr, the defeated candidate. He was a native of North Carolina. When a young man without means, he was sent to the University by David M. Boyd, a clothing merchant of Tuskaloosa. He graduated in the class of 1841, with honors. He was for awhile employed in the University as a tutor. After the election in 1847, he raised a company of volunteers for the Mexican War, and was appointed Captain. His course in the army was highly creditable to him, and he returned to his home with increased popularity. In 1849, he was brought out by the Democracy in connection with Judge Peter Martni and Moses McGwin as a candidate for the House. If his Democratic friends had simply brought him as individual aspirant, he would in all probability have been elected; but they made the bold dash for the entire ticket, and the result was Capt. Barr was beaten by Moses McGwin. In this canvass the question of the Sons of Temperance figured to some extent. Col. Jemison and Capt. Barr had both joined the order, and in some localities both lost some votes on that account.

Capt. Barr was not a candidate any more until 1855, when he ran again for a seat in the House, but was beaten by a large majority. In this canvass he pursued a very singular course. Like all the other candidates of that year, except Jolly Jones, he had joined the Know Nothing party, while he was anxious to and did receive the strength of what was left of the old Democratic party. He did not canvass the county with the other candidates, but went by himself, and would make a little speech whenever he could get a few voters together, making sometimes as many as three a day. But as before stated he was largely beaten.

In 1856 he was District Elector on the Buchanan ticket, and made a very fine canvass.

In 1857 his friends made a strong effort to have him nominated for Congress over General Moore, but his name finally withdrawn, and Moore's nomination made unanimous. Before the close of the canvass he issued a circular to the people, which called for a very sharp reply from Col. Jemison and some others.

In the latter part of 1858 after the Buchanon administration was fairly underway, Capt. Barr, was rewarded for his services in the canvass of 1856, by the appointment of Consul to Melbourne. But he was not permitted to reach his destination. He died at sea on his outward voyage.

As a declaimer, Capt. Barr, was very strong especially in fighting some things that already existed. As a political debater he was not the equal of many whom he had to encounter, in his different efforts to get position?

He made considerable noise in the Literary world, and over the signature of "Oswego" he wrote many amusing stories which were published in the New York Spirits of the Times.

Capt. Barr, was the brother of Mrs. Gouch, a lady of high standing in the social circles. He was also the nephew of Mrs. Gorman, a lady who was loved wherever known.

[The Tuskaloosa Gazette, June 21, 1888.]

CHAPTER XXXVI

Judge Wallace, was the brother-in-law of our venerable and highly esteemed citizen, John N. Craddock.

What has become of Judge Wallace's family I am not informed, though I know several of them have died.

Rufus H. Clements, was a native of Tuskaloosa county, the son of the well known and wealthy Hardy Clements. He was educated at the University of Alabama and graduated in the class of 1845. Afterwards he attended the Law School at Cambridge, Mass. Returning to his home he engaged in planting on the Warrior River and announced himself as an attorney at law. He was a young man of fine address and pleasant manners and with all quite popular. Being a Democrat of the straightest sect, of course in the old Whig county of Tuckaloosa, he had to look to a great extent to his personal friends among the Whig young men of the county for succes. The young people started his "boom," and his own personal qualities coming into play, it was soon very evident that he would be successful in the race. He was by considerable odds the foremost man in the contest.

Mr. Clements was a fine speaker and took a high stand in the canvass. In the Legislature he very soon attained to that position which his intelligence and culture had so eminently fitted him for, and he was regarded as one of the rising young men of the State. But he never aspired to a re-election and was never a candidate for any other public office in the county, but devoted himself to his planting business. In 1856 Mr. Clements was sent a delegate to the "National Democratic Convention" at Cincinnati and cast his vote for Stephen A. Douglass for President, but finally yielded to the nomination of Mr. Buchanan. In 1860 he was an ardent admirer Breckenridge man and after the election of Mr. Lincoln he was prompt and prominent in his advocacy of secession, as the only means by which the South could preserve her honor and maintain her rights; that he was sincere and honest in taking this ground no one ever doubted. Mr. Clements' general health did not admit of his going into

active service in the war, but as a citizen at home he met every demand for patriotism required at his hands.

Being a prudent business man he had kept out of debt, so that at the close of the war he was not like many others broken up by its results.

In 1853 Mr. Clements married the daughter of Hon. Frank Bugbee of Montgomery, with whom he lived until 1875 when he died. The intercourse between the writer and Mr. Clements was always of the kindest character and although a Whig of decided proclivities, took pleasure in casting my vote for him.

Mrs. Clements still lives in our midst and is what she always has been an ornament to society.

In 1853 Tuskaloosa county for the first time since the old party organized sent a solid Democratic delegation to the "House" Ex. Gov. J. L. Martin and Newberne H. Browne, our present Probate Judge being the successful candidates. I need not go into the particulars of this election. I have already stated that Judge J. B. Wallace was a candidate, he and Governor Martin being run as a compromise ticket. And I have stated that Judge Wallace's prospects were considered very flattering up to the time of his death.

Gov. Martin has already been noticed. N. H. Browne is a native of North Carolina. He came to Tuskaloosa county when quite young: he was educated at the University of Alabama graduating in the class of '46.—He studied law under Judge B. F. Porter and was admitted to practice in the high up forties —He was a candidate in '53 and was elected. He was again elected in the following years 1855, '57, '59.—At the session of 1859-60 he was elected solicitor of the third Judicial Circuit which office he held for the term of four years. In 1861 he was a candidate for the senate from this county but was not successful.—In '60 Mr. Browne was an earnest advocate of the election of Mr. Breckenridge for President, and after the election was equally earnest as a secessionist, in both instances taking the stump. As a stump speaker and political canvasser he deservedly ranks high.—In the legislature he took a position with the distinguished men of the House, and while he was

modest and quiet, whenever occasion called for it, he showed himself a debater of good standing.

After the war Mr. Browne remained in private life until 1872 when he was nominated and elected to the office of Probate Judge and has been twice nominated and elected to the same office which he now fills.

As Judge Browne is still living I will not speak of him as Judge further than to say that I suppose no one doubts either his ability or fidelity in the discharge of his official duties.

Judge Browne married the daughter of Wellington Prude, a most amiable lady, who died some two years ago.

In connection with the several canvasses with Judge Browne I might tell a good many amusing anecdotes at which we laughed heartily at the time and have laughed over them many a time since.—But I will not say anything further than to say there are several persons who will not soon forget his "Sand Spring Speech" in maiden canvass.—It is necessary to add that Judge Browne's moral and religious character is of the highest type.

I might say more about the Judge but I will not now.

[The Tuskaloosa Gazette, June 28, 1888.]

CHAPTER XXXVII

In 1855, Tuskaloosa county was represented in the House by Newbern H. Browne and E. A. Powell. These gentlemen have both been noticed in these sketches. I suppose, however, it may not be considered amiss to say a few things in regard to the canvass of that year. With Mr. Powell it was his first appearance before the people, and with Mr. Browne the second. Old parties were passing through an ordeal that looked very much like disintegration. The requiems of the grand old Whig party were being sung, and the very pillows that supported the old Democratic structure were leaning and tottering, and many an inspiring Democrat rushed out of the Hale in order to escape the crushing effects of the fall. But where were they to go-that was the question. But the doubt was soon resolved. There appeared on the political canvass the picture of a rising party, as beautiful as the blushing maiden adorned for the marriage festival, and oh! and oh my! what a rush there was among the aspiring young patriots to make the acquaintance of this enchanting political Goddess. What a rush on the part of young Democracy to crowd out all other aspirants. Nor was there less eagerness on the part of the Whigs to be first at this new political shrine. The name of the fair enchantress was "Know Nothing," or more properly speaking "Native American Party." All the candidates for the Legislature and all the county officers, save old uncle Jolly Jones, who could not be persuaded or driven away from his old Jackson Democracy, joined the new party; even the gallant and rising young giant of Democracy of that day, our present worthy Probate Judge. was one of the earliest to seek the new party, and none of us were more eloquent in loudly proclaiming to the people the superior virtues of this new aspirant to public favor than he was. One of the candidates for a county office was running without opposition, holding himself out all the while as a member of the new party, up to the close of the canvass on Saturday before the election, when he announced his withdrawal from the party and his intention of returning to the old Democratic ranche. As a backwoodsman would say here was a "delemmer." The tickets had all been printed with this candidates name, and had been distributed to the different precincts. But "where

there's a will there's a way," the energetic political managers set to work and before midnight had improvised another candidate, printed new tickets and started runners to every precinct with the new tickets and bearing the news of the old candidate defection, etc. The result was an overwhelming majority for the improvised candidate.

But the success of the new party was of short duration. The politicians still adhering to the old Democratic party at once raised all manner of denunciation against it, arousing the whole Catholic influence in the country, the entire foreign influence ,and appealing to the uninformed in such a way that the new party fell beneath the crushing weight. Wise, the old Whig of Virginia, who had a few years before deserted the old party and gone over to the Democrats, in the Gubernatorial race of that year had defeated the candidate of the new party, Hon. Thomas S. Flournoy one of the idols of Virginia Whigery. In the same years Andy Johnson defeated Tennessee's most brilliant and argumentative stump speaker, Hon. M. P. Gentry, each by a considerable majority, the prospect was certainly gloomy. Looking back to those times it is amusing, even at this day, to remember the various reasons given by the returning Democrats for their joining and leaving the new party. In most cases the reasons were satisfactory to the parties themselves, whether they were to others I will not say.

It is even now laughable to think of meeting my democratic friends on the streets, and although we had been warring against each other politically for years, I would hear the salutation "How are you Mr. P—?" at the same time approaching me with extended hand, which on being taken, he would give the K. N. grip, which being answered, the question would come, "Where did you get that?" The same question being thrown back at him, he would answer, "I don't know, do you?" "No," would be the response, and followed by the lapel or eye brow sign the parties would know each other as the desciples of "Sam." For one I am a "Sam" to-day, and take back nothing of the principles advocated by me on that subject in that memorable canvass.

In 1857 the representation from Tuskaloosa county was the same as in 1855. N. H. Browne and E. A. Powell being

the successful aspirants. Mr. Browne had returned to his first political love, and rallied under the banner of Buck and Breck, as it was called in 1856, which was then triumphantly waving in the breeze. Mr. Powell had followed the trailing banner of the model President, "Milliard Filmore," who had placed himself upon the broad platform, of "I know no North, no South, no East, no West, but my country, my whole country, and nothing but my country." But I will speak more of this hereafter. In the canvass Mr. Browne was supported by William M. Stone, a young lawyer, who had also been a disciple of "Sam." Mr. Powell was supported by James R. Smith, a Baptist preacher. Mr. Stone declined to speak only occasionally. The subject of national politics, were discussed by Browne and Powell. The State issue being for or against State aid to railroads, Powell argued on the affirmative and Browne on the negative sides. Of the merits of that discussion I am too modest to speak, and I know my friend Browne is too modest to hear. Of Mr. Smith I must say a word. He was originally a democrat of the straightest sect, but he said his democratic friends had led him into the wigwam of Sam and he was too well pleased with the new quarters to be led out by those who were dissatisfied with the prospects of remaining. Mr. Smith was a native of South Carolina. His father was a Revolutionary soldier. He was also a nephew of the celebrated "Horse Shoe Robertson" of Revolutionary fame. Mr. Smith's educational advantages had been limited, but he was one of the finest natural speakers I ever heard. I have frequently heard him in the pulpit get into strains of eloquence that would have done honor to any one of the D.D.'s. of the land. Any one who ever heard him describe Christ entering into Jerusalem on Palm Sunday, or Paul on his way to Damascus, will not think the picture overdrawn. I remember hearing him on one occasion picturing the course of the sinner gradually entering upon the pathway of sin—how timid he would be at first but by degrees he would be led on until he would shock the sensibilities of all who knew him by his unblushing defiance of all that was good. He illustrated his position by telling of a man who had taken passage on a steam boat, that he had not been long on board, before he was apprized of the fact that his boat was on a race with another one. At first the man was alarmed and took his seat away back in the ladies cabin, but as the excitement grew he ventured to walk out on the guards to look on. Still the race became more and more

exciting, the alarmed man venturing a little and a little nearer, until he found himself actually down among the hands passing up the wood to the firemen to prevent the rival boat from passing. The effect of his story and his manner of telling it was simply powerful upon the congregation, I afterwards learned that he, himself, was the passenger alluded to, and that he had simply narrated the facts as they occurred.

In that canvass, his course was a remarkable one, he confined himself to no line of discussion, made each day the speech that suited him, and of the twenty-one speeches made in the canvass, it may be said with truth that no one of them were akin to any other one, and yet competent judges would have pronounced each one a fine speech.

Mr. Smith died about the close of the war. One of his sons, a lieutenant commanding his company, was killed on the last night at Petersburg. Another son is one of the most worthy citizens of our county, Mr. James M. Smith, living near Romulus.

[The Tuskaloosa Gazette, July 19, 1888.]

CHAPTER XXXVIII

In 1859 there was no contest in Tuskaloosa County for seats in the House. Mr. Brown, at the instance of his numerous friends, had announced himself for re-election. Mr. Powell declining to be a candidate; at his instance the people of North Port and that side of the river to a great extent, joined in a written call upon Hon. Newton L. Whitfield to become a candidate. He responded to the call by announcing himself a candidate, in a very handsome card. Of course, the delegation stood Whitfield and Browne. Mr. Whitfield was a native of Georgia. His father came to Tuskaloosa County at a very early day and settled on the north side of the river, at what is now known as the Gay place. On this farm Mr. Whitfield grew up to early manhood, receiving such advantages in the way of an education as the country schools of that day afforded, as the old saying was going to school between laying by and gathering time. While living on the farm he and a number of other young men organized and ran for a long time a neighborhood debating society which became quite an institution in the then new settlement of the country. Mr. Whitfield told me himself that they discussed the political questions of the day, as if they were doing so authoritatively, that the whole neighborhood would turn out to hear them. I knew most of the young men of that society in after years, and I now know but one of them living and that is my brother-in-law, Col. John H. Lee, now close up to four score years, living at Marshall, Texas. The elder Whitfield afterwards removed to Tuskaloosa City, with a view of giving his children higher educational advantages. Newton attended the University, but how long I do not know; he did not graduate, however.

During the "Flush Times" he engaged in merchandizing in the city of Tuskaloosa. The enterprize was not successful, and by the indiscriminate endorsements by one of the parties, Mr. Whitfield found himself very much involved. He afterwards studied law and became one of the leading young lawyers of the day.

My first personal knowledge of Mr. Whitfield was in 1840. I was then living in Fayette County. The great Presidential

contest between Martin Van Buren and William Henry Harrison was just opening upon the country. Mr. Whitfield came to Fayette C. H. to aid in getting together and organizing the few Whigs scattered over the strong Democratic county of Fayette. His speech created quite a sensation among the Democrats and though the Whigs were looked upon up there as everything that was vile in politics, still it was confessed that the young man made a very good speech for so bad a cause. But to return, Mr. Whitfield devoted himself to the practice of law until the commencement of the war, at one time associated with our present banker and manufacturer, Mr. James H. Fitts. The year before the war he was elected president of the Northeast and Southwest Alabama Railroad Company, which place he was holding when the War indefinitely postponed all enterprizes of the kind in the South. In that Legislature Mr. Whitfield soon took rank among the first men of the body. It was at that session the celebrated resolution calling a convention of the people of Alabam in case a Black Republican President should be elected. There was also an appropriation of two hundred thousand dollars to meet the contingencies of such a convention. Mr. Whitfield and Dr. Bradley of Perry County, were the only members who voted against that resolution.

Mr. Whitfield was not a candidate any more until 1865, when he was elected to the House again. At that session he at once took the position which his natural good sense and political attainments had so well qualified him for. He was made Chairman of the Committee of Ways and Means. A position at that time calling for the highest grade of talent. He was equal to the position as the Revenue Bill of that session will fully attest. It was at this session the University was saved to Tuskaloosa. The vandalism of the war razed to the ground the public buildings connected with the institution, and there it lay a heap of smoking ruins. There had been for many years a disposition on the part of East Alabama to draw the institution to that part of the State. Through Mr. Whitfield's sagacity perhaps, more than any other member of the House, it was enacted that the State would loan the University the sum of seventy thousand dollars in order to rebuild and re-establish itself. I know whereof I speak when I assign to Mr. Whitfield the leadnig position in producing that result. The University only drew out some forty odd thousand dollars of the loan, which

let it be said to the credit of the subsequent Legislature, was released to the Institution. The next public position of Mr. Whitfield was his election to the House in 1872. This was the year of the great trouble in the Legislature. The Republican members meeting and organizing at the U. S. Court room, and the Democrats meeting and organizing at the Capitol. Thus for several weeks presenting to the country the confused idea of a dead Legislature. In the midst of the excitement of this occasion the country was shocked at the news of the sudden death of Mr. Whitfield. Thus passed away in the prime and vigor of manhood one of Alabama's most brilliant, intellectual men, one of whom Tuskaloosa County was justly proud.

As a speaker, Mr. Whitfield was clear and forceful, using language that was beautiful in its very simplicity. As a letter writer he had few equals, and I believe I may say no superiors. Mr. Whitfield married at a rather advanced age, Miss Frierson, a daughter of Mr. Robert P. Frierson. After her death he married a lady of Aberdeen, Mississippi, who survived him. I will only add that long years of the most intimate friendships has endeared the memory of Mr. Whitfield to me in a manner that only the close of time with me can efface.

In 1861 Capt. William H. Jemison and James Spencer represented Tuskaloosa County in the House. With Capt. Jemison it was his first and last term. He was never a candidate again. In the canvass of 1861 while Col. J. J. Pegues and A. C. Hargrove were serving as privates or non commissioned officers in the army, their names were brought out for the House, but without any action on their part. Mr. J. H. Fitts partially canvassed the county in their favor. But they were not elected. Col. Jemison is a younger brother of Col. Robert Jemison, Jr.

The War being on the country the legislation was devoted principally to sustaining the Confederacy, and to measures of relief to the families of the soldiers in the army. Mr. Jemison took a patriotic stand in favor of such measures as would best advance the interest of the young government and yet at the same time protect the rights of the people. I have never heard Mr. Jemison speak and can, therefore, say nothing about him in that line. In conversation he is interesting, and shows that he is pretty well posted on the topics of the day. I think he is a college graduate but of what institution I am not ad-

vised. He was at one time in the faculty of the State school at Auburn. I think he filled the chair of Agricultural Chemistry. In 1862 he was appointed as Quartermaster in the Confederate Army with the rank of Captain, which position he held until the close of the war. He had headquarters at Tuskaloosa. In all his public positions he was faithful and discharged his debts with an eye to public good. Capt. Jemison now resides at Birmingham. His oldest son is now and has been for a number of years Mayor of the City of Tuskaloosa.

James C. Spencer, if not born in, was raised in Tuskaloosa County. The want of means threw him in early life upon his own resources for a living. By his own industry he obtained a fair English education with perhaps a limited knowledge of Latin. For a number of years he engaged in school teaching in the country and acquired considerable reputation as a teacher.

He studied law at home and was admitted to practice about 1857. He soon became recognized as a very safe and prudent lawyer and was fast making a reputation as an advocate. As a speaker Mr. Spencer was rather an interesting one. His ideas were generally original and to the point, while they were expressed in very clear and beautiful language. Mr. Spencer was County Administrator for a number of years. In the Legislature his course commanded universal respect, and had he lived, would no doubt have succeeded him. But death came to him suddenly in the early part of the session, and thus closed a life that bid fair to be one of great usefulness. In original politics Mr. Spencer was a straight out Democrat. But when the wigwam of "Sam" was opened he went in and remained. Practically he was highly conservative. He supported Fillmore in 1856 and Bell and Everett in 1860, and was decidedly opposed to secession. —His moral and religious life was worthy of emulation. His widow still lives in our community, a lady of high character.

[The Tuskaloosa Gazette, July 26, 1888.]

CHAPTER XXXIX

In 1863 Tupskaloosa was represented in the House by Thomas P. Lewis and William A. Bishop.

Mr. Lewis had been elected in 1862 to fill the vacancy occassioned by the death of James C. Spenser. He was a native of North Carolina, and came to Tuskaloosa when he was a young man. He was a watch-maker by trade, and after a few years set up a very nice jewelry establishment in connection with Mr. Syd Leach, a brother of the late Dr. S. J. Leach. The business prospered and they were making money up to the war. Mr. Lewis was personally very popular, and popular with all classes. He was an ardent Whig, a zealous know-nothing, and in 1860 a hardworking Bell and Everatte man, and most decidedly opposed to secession. He made no pretensions to public speaking, and in the House never occupied the floor only to make motions. But a distinguished friend of mine in the House, Mr. Barnes, told me that no member of the body gave more judicious votes than did Mr. Lewis. After the war Mr. Lewis was elected sheriff of the county and held the office up to and into the times of "reconstruction" and up to the time of the great confusion growing out of that measure, and the inaugeration of the Kuklux in the county. Owing to certain influences brought to bear it was asserted that Mr. Lewis could not execute the office in the county. In this state of affairs he consented to resign in the interest of peace, and Col. J. J. Pegues was appointed by Governor Smith to fill the office. In executing the civil department of the office he was very faithful, was never ruled for neglect of duty or failing to pay over money when collected.

The motion docket shows seven cases where there was a contest between creditors as to who should have the money, but none against the sheriff for failing to pay over. Mr. Lewis was of convivial habits and having a great many friends of similar character unfortunately he yielded to the seductive influences of the tempter and fell. I am aware that this is an unpopular subject to write upon, that in some quarters the liquor traffic is regarded as too sacred for any animadversion whatever. It is anything but pleasant to me to write these

things, but possibly some young man may be induced to take warning and shun the rock on which so many otherwise promising men split. In his intercourse with his friends Mr. Lewis was kind and agreeable, and it may be said that very nearly all of his acquaintances were his friends. He died some ten or twelve years ago. He married Miss Carried Neal, who still survives him, one of the most estimable ladies of the city.

Mr. Bishop, I think, was a native of the county. His father lived in the extreme southern part of the county, which now forms a part of Hale county. Mr. Bishop was a farmer and stood as well as he deserved to with all who knew him; in old politics he was a Whig, and joined the Know-nothing. I use this term or name for the new party because it was the popular term used at the time. It was well known that the true name of the party was "Native American." In the House Mr. Bishop took the position of a quiet sensible member, occupying the floor occasionally, but never long at the time, while the remarks he made were always to the point. Mr. Bishop was never a candidate for re-election. He was at the time a prominent member of the Baptist Church, and is now and has been for fifteen years or more a useful minister of the gospel in that denomination. He still lives in Hale county. The two years in which Mr. Bishop served closed the Legislation of the State under the Confederate Government. The struggle was evidently drawing to a close, the overwhelming power of the Federal Government was constantly closing in upon the waving forces of the Confederacy, and thoughtful men were trying to study out a solution to the dark problem. There was in the House a strong Peace party, strong enough to carry a series of peace resolutions through the body. Still there was no faltering in the support given to the Confederacy, and had the acts of that last session been published they would have shown that everything that was done was in the interest of the Confederate Government. The men who amidst the strongest opposition and even threat had voted for the "Peace Resolutions" who were just as prompt in voting for every measure designed to sustain the government. But the end came and it is unnecessary to write it out, for all know that history.

In 1865 the county was represented by Newton L. Whitfield and James A. McLester. Mr. Whitfield has been noticed. Mr. McLester is, I think, a native of North Carolina, but raised

up in West Tennessee. He came to Tuskaloosa about 1840, and engaged in the mercantile business in the town of North Port, in partnership with his brother, Richard C. McLester. They continued the business under the firm name of R. & J. McLester, until the war put a stop to all business. But they resumed business immediately after the war both in Northport and Tuskaloosa, and continued until 1879, when Mr. McLester retired from the business.

In old politics Mr. McLester was a decided Whig. I do not know that he ever joined the American party, but if he did not he voted for its candidates. He was always regarded as one of the most intellectual men of our county. He had a pretty fair English education which he had obtained through his own exertions. At one time he taught school and was regarded as a good English teacher. I remember at one time meeting with one of the professors of the Southern University, who told me that he took his start in getting an education at the school of Mr. McLester. In the House he took the position of one of the most sensible and watchful members of the body; was considered strong on the committees. He did not render himself cheap by being often on the floor, but whenever he spoke his good sense and chaste delivery was sure to have its influence. Mr. McLester was never afterwards a candidate though often requested by his friends to do so, but he preferred the quiet of home to the excitement of public life.

The end of his term closed out the Legislature of the State under the Johnson policy. I may recur to this subject in a subsequent number of these sketches. There is much that might be said. But before another election, reconstruction with whatever of good or evil consequences was upon us, when the shining lace, gilt buttons and glistening bayonet, took the place of the ordinary routine of business.

As a citizen, Mr. McLester has been all that the best could wish him to be. For fifty years or more, a faithful member of the Methodist Church, at all times exemplifying in his life the truth of the religion he professed. He still lives an ornament to society. Mr. McLester in 1847 married Miss Jane Simonton, who still lives, and who is beloved by all who know her.

[The Tuskaloosa Gazette, June 20, 1889.]

CHAPTER XLI

In 1870, Tuskaloosa County was represented in the House by Prof. W. S. Wyman and Col. Newton N. Clements. They were the first candidates nominated by the white people for representatives since 1843. As has been before stated in 1843 the Democrats raised the cry against convention nominations, and came near beating the popular Whig candidate for the Senate, they did beat two of the Whig candidates for the House. That was the last time there was a nominating convention in the county until 1870.

The convention of 1870 was rather a mass meeting than a convention, and the nominations were made in a somewhat novel manner. There was no ballot from the different precincts, as the custom now is. A motion was made to appoint a committee to recommend candidates for representatives. The motion prevailed, and the mover was made chairman of the committee, and it was said at the time that the presiding officer of the meeting had already been furnished with names to constitute the committee.

The committee retired and in a few minutes returned, and reported in favor of the parties heretofore named as candidates.

Although there was a pretty strong feeling in the meeting opposed to the modus operandi of the proceedings when the names were presented there was very general satisfaction, and I remember making the motion that the report be adopted by acclamation, which was done. I think the gentlemen were both present and on being called out, accepted the nominations in appropriate speeches. They made the canvass and were elected, it being the maiden canvass with each of them.

PROF. W. S. WYMAN,

It think, is a native of Montgomery, Alabama; at least he was raised in that city. If I am not misinformed, his father built the old hotel, the "Montgomery Hall," on the corner of Lawrence street, and what is now Dexter Avenue. He was educated at the University of Alabama, graduating with first honors in the

class of 1851. He afterwards taught in Pickens county. In 1855 his name appears as one of the tutors in the University. His name also appears as filling the chair of Ancient Language and Literature, but the date of his appointment is not given. I only know that he continued to fill one of the chairs until the close of the war. And upon the reorganization of the institution after our own people got control, Prof. Wyman was again elected to the chair which he now fills to the entire satisfaction of everybody. The presidency of the institution has more than once, so I am informed, been offered to him, which he has invariably declined. But I think he has several times temporarily filled the place. Some years ago the institution conferred on him the honorary degree of L.L.D., which honor was worthily bestowed and as modestly worn.

In the canvass, Mr. Wyman bore himself with a dignity that commanded the admiration of all who witnessed the contest, showing by his speeches that he fully understood the situation and the issues before the people. As a speaker he was clear, logical and forcible, presenting his views in a style that carried conviction to the minds of his hearers, using language so plain that the most unlettered hearer could understand, at the same time worthy of the finest scholraship.

In the legislature it is needless to say that he took a position of which his constituents may have been and were proud. Unostentatious and modest, he commanded the respect of all who came in contact with him.

Dr. Wyman was never a candidate again preferring the quiet retreats of the University to the bustle and confusion of the State Legislature.

While at the University as a student he made the acquaintance of Miss Dearing, daughter of Mr. Alexander B. Dearing. This acquaintance ripened into the tenderer sentiment, and they were married some time in the fifties, and Tuskaloosa has been their home ever since. They have a son in Birmingham who has taken a high stand as a physician.

Dr. Wyman is and has been ever since his citizenship of Tuskaloosa, a prominent member of the Presbyterian Church,

which place he adorns by walk and conversation worthy of the highest emulation.

NEWTON N. CLEMENTS

Is a native of Tuskaloosa county. He is the son of that well known, successful business man, Hardy Clements. He was educated at the University of Alabama, graduating in the class of 1858. At the breaking out of the war he raised a company for the service, and was very soon promoted to the office of Lieutenant Colonel in, I think, what was known as the Junior 26th Alabama Regiment. His standing in the army was very fine. He was recognized as a true and gallant officer.

Col. Clements was elected again in 1874-1876. At the session of 1874 he was by a vote of the House made temporary Speaker, and occupied the chair a great portion of the session. At the session of 1876 he was the regular speaker.

At the district convention in 1880, he was nominated to fill out the unexpired term of Hon. B. B. Lewis in Congress; he was elected, and served for the short term. After his term in Congress, Col. Clements remained in private life until 1836.

In 1886 there was a wide spread dissatisfaction throughout the county at the action of the Democratic Convention called by the executive committee for Tuskaloosa county. The dissatisfaction grew out of the manner in which the convention was to be constituted. The committee was importuned before the meeting to change the programme adopted, in order to prevent discord in the party, but it declined to do so, and held the convention. The action of the convention was fully understood for sometime before its meeting, and the result was simply what was predicted it would be. This action instead of allaying the dissatisfaction very greatly widened the breach, so much so that another Convention was called, which met about the first of July. This Convention claimed to represent the true Democratic and Conservative part of the county, and nominated candidates for the Legislature. Thus for the first time since reconstruction did Tuskaloosa county have two sets of candidates, each claiming to represent the true Democracy. The first convention had nominated Hon. Henry H. Brown and Henry B. Foster, a rising young member of the Tuskaloosa bar, while the second called to

the front, as its standard bearers Hon. Newton L. Whitfield, the son of the old member heretofore mentioned in these sketches. The canvass had already opened when the second candidates took the field. When the canvass opened the friends of the nominees hardly looked upon the opposition as being serious. But as it advanced it was evident to all who would see that the Newtons were rapidly gaining on the Henrys, and so it turned out that they were each elected by small majorities. I did not hear the speeches in the canvass, but I have been told that each candidate bore himself with ability, which was to some extent marred by the amount of personal asperity the gentlemen allowed themselves to be betrayed into. In 1888 Col. Clements was nominated by the harmonized democracy, and is now a member of the ensuing session.

Col. Clements is a gentleman of prepossessing appearance. He is a fine speaker, and will always command a leading position in a canvass. As presiding officer in the House, he showed an acquaintance, with parlimentary law and usages which added to his dignity as an officer, and promptness in decision gave him a high rank as a presiding officer.

Col. Clements married the daughter of Dr. McMichael, of Columbus, Miss.

In 1872 Tuskaloosa county was represented by Newton L. Whitfield and Newburne H. Browne, these gentlemen have both been noticed in these sketches. As has already been stated Mr. Whitfield died during the session. After his death Monroe Donoho was elected to fill his vacancy.

Mr. Donoho is a native of Virginia. He came to Tuskaloosa in the fall of 1835, I first met him in 1841, and we have been intimate friends ever since. When I first knew him he was engaged in merchandizing in Tuskaloosa. During the administration of President Polk he was appointed Register in the Land Office at Tuskaloosa. After the election of General Taylor, to the Presidency, Mr. Donoho was removed from that position, and E. M. Burton was appointed. The change was simply on political grounds. There was no charge against him and no grounds for any. He was, however, re-appointed to the same office by the Pierce administration. As in the case of his removal ,his re-appointment was simply a political move; there

was no other reason for the change. Mr. Donoho continued in that office up to and through the war. He was elected to the House again in 1880. I have never heard him make a speech and I do not know that he does speak, but for good practical business sense he has but few equals. In the Legislature he took the position always accorded to the man of practical sense. Personally, he was very popular in the House, and by his general courteous demeanor made friends of all the members, and was consequently a very influential member. As a public officer, under the national government, there was never any grounds for adverse criticism and none was ever made. He was capable, honest, faithful. As a citizen Mr. Donoho has always stood in the highest ranks. His moral and religious character has all the time been on an elevated plane. For more than half a century he has been a worthy member of the Methodist church, and to-day you will find him in his place at the church, on all reasonable occasions. In 1846 Mr. Donoho married Miss Glascock, the sister of our esteemed fellow-citizen, John Glascock.

[Mr. Donoho died since the above sketch was written.—Ed.]

[The Tuskaloosa Gazette, June 27, 1889.]

CHAPTER XLII

In 1874, when the county of Tuskaloosa was called the response was made by Col. N. N. Clements and Henry H. Brown. The canvass of that year was an interesting and exciting one throughout the State, and Tuskaloosa county showed her full share of interest in the result. Before the canvass was through everybody looked upon the election as a pivotal election in the affairs of the State. The question in Tuskaloosa county was not so much as to the election of the county candidates. That had already been conceded by the opposition, but what should be the majority for the State ticket was the all absorbing question. In order to insure as large a majority as possible, the executive committee called upon or rather issued a quasi order commanding all the lawyers of Tuskaloosa to close up their offices for about ten days before the election and go out and speak to the people, the committee making the appointments for each one, and some times there were speaking at as many as four different appointments in the county on the same day. I don't think a single member of the bar failed to fill the appointment made for him. The result of that election is matter of history and need not be here repeated.

In 1876 the same gentlemen were nominated for re-election by acclamation. I remember seconding the motion with all the emphasis that I could throw into the question.

Col. Clements has already been noticed. Henry H. Brown is a native of Tuskaloosa county. He grew up to early manhood on his father's farm some miles north of North Port. About that itme his father came to North Port and engaged in merchandizing. Henry took his place in the store as a clerk, where he very soon developed into a very fine business young man.

After the war Mr. Brown found himself in the condition of most every body else in the South. That is the war had about swept away everything in the shape of property that he had. In order to regain what had been lost he again engaged in merchandizing. This enterprise was not successful, and some time before 1874 he discontinued the business. After serving out his term 1876, he was elected sheriff of the county on a very

close vote. He made a good sheriff and gave pretty general satisfaction. He was elected to the House again in 1880, '82 and '84. The last two sessions he was chairman of the committee of "Ways and Means," generally regarded as the most important committee in the House. That appointment of itself was sufficient to show that Mr. Brown took a leading position in that body. Both in the House or before the people, he showed himself a debator of much more than ordinary powers. His speaking was of that clear and forcible character that was sure to be felt by his adversary and carry conviction to the crowd.

At one of the sessions of the Legislature he was examined before the Supreme Court and granted a license to practice law. Capt. T. W. Coleman, the circuit solicitor, appointed him assistant for Tuskaloosa county, which position he filled to the satisfaction of all.

After the election in 1886 Mr. Brown moved to Birmingham to practice law. In the county convention of this year in Jefferson county he had a strong following for a seat in the House.

Mr. Brown first married the daughter of the late James Cardwell. After her death he married the daughter of Mr. J. H. Freeman, a highly respected citizen of North Port. From his boyhood he has been a prominent member of the Baptist Church; was for years a deacon in the church at North Port.

In 1878, Tuskaloosa county sent to the House Dr. W. G. B. Pearson and William G. Cochrane. It was the maiden canvass with each of the gentlemen.

Dr. Pearson is a native of North Carolina. He came to Tuskaloosa county I think in 1859, in company with his uncle Dr. Wm. G. Beatty. They opened a drug store which was attended by Dr. Pearson. While in that position he married Miss Julia Snow, daughter of the late Dr. Charles Snow.

When the war broke out Dr. Pearson volunteered in the first company that left Tuskaloosa, under Capt. Robt. E. Rodes, who was killed the last year of the war near Winchester, Virginia, bearing the commission of Major General. Dr. Pearson remained in the army until the final close up of the dark scene. He participated in much of the fighting in Virginia, but fortunately came out safe.

Returning home he found it necessary, as the saying goes to pull off his coat, roll up his sleeves and take hold. He did not hesitate, but at once accepted the situation, and went to work. He engaged in farming on the Warrior river, and seemed for a while to be successful. But owing to the great freshet in July of 1872, the entire profits of his farming operations were swept away.

Dr. Pearson made a very fair canvass. He makes a very sensible speech.

In the House he was regarded as a very efficient business member, modestly refraining from ostentatious pretentions, only occupying the floor when the interest of his constituents required it. His courteous and pleasant address made him the friend of all, and no doubt when the hammer fell, every member left him with pleasant feelings. Dr. Pearson has never sought a renomination, but is enjoying the pleasure of a happy private business life.

William Gilbert Cochrane, is a native of Tuskaloosa city. His father was a lawyer of high standing at the Tuskaloosa bar. In 1847 Mr. Cochrane was a prominent candidate before the county convention for Probate Judge, and for many ballots carried the highest vote in the convention. But owing to that anti-Democratic rule known as the two-thirds rule, which was at first adopted and has to a great extent been adhered to as a means of defeating the most popular candidate he failed of the nomination. He at one time filled the office of county solicitor and filled it well. In the House, Mr. Cochrane was regarded as one of the rising young men of the State. He was prudent and cautious, occupying the floor only when he thought the interest of his constituents called him to take it. He was not a candidate before the people again until this, when he was nominated on the ticket with Col. Clements, and they had a walk over race. As a speaker Mr. Cochrane is in truth very strong. He has that popular style that is at once taking with the people, and if his speeches do sometimes exhibit him as being rather independent "Quackenboss" they are nevertheless such that the people admire. His good sense and pleasant style will always give him a strong hold with those whom he may be associated with. Mr. Cochrane is a fine lawyer both in theory and practice. His natural kindness of disposition towards

everybody make him very popular. He is the son of Mrs. S. S. Louisa Cochrane of this city, the highly esteemed, only daughter of the late Major Hardin Perkins, who has been heretofore noticed. Mr. Cochrane married the daughter of the late Hon. John T. Taylor, of Mobile. Mrs. Cochrane is a cousin of the wife of Col. A. C. Hargrove, the talented and popular senator from our county.

In 1882 Tuskaloosa county was represented in the House by Henry H. Brown and Gen. Sterling A. M. Wood. Mr. Brown has been noticed. General Wood is a native of Lauderdale county, Alabama. He was admitted to the practice of law in his native county when quite a young man, and for many years did a fine practice of the law in his native county when quite a young man, and for many years did a fine practice in his native county in connection with his brother, Hon. William B. Wood. In 1857 he was elected to the House from Lauderdale county on the ticket with Henry D. Smith, the county being represented in the Senate by Robert M. Patton. In early politics General Wood was a Whig but upon the disolution of that grand old party—the party which I think should inherit that name exclusively—and the organization of the American or Know-nothing party he declined to follow the most of the Whigs and a large portion of Democrats into the new party, but joined the Democratic party under the name of Democratic and anti-Knownothing party. In that legislature Gen. Wood took a fair position both upon the floor and on the committees. In the House his speeches were brief, well timed and to the point. On the committees, he showed an acquaintance with the rules of business, which clearly indicated the fact, that he had not been an indifferent spectator of public affairs even though not in the counsels of the State. He was in 1858 appointed Solicitor of the 4th Judicial Circuit of Alabama, and elected by the Legislature to that office in 1860. He supported Breckenridge and Lane in '60, and edited the Florence Gazette during that year. In April, 1861, he went into the war as Captain of the Florence Guards, and was in May elected Colonel of the Seventh Alabama Regiment. During the year of 1862 he was promoted Brigadier General. General Wood served in the Western Army and participated in most of the important battles fought by that army, such as Shiloh, Perryville, Murfreesboro and Chickamauga. He was in the campaign with General Bragg's army through Kentucky, and was wounded

at Perryville by a piece of shell. As a canvass speaker General Wood is considered very formidable. In several campaigns he has been sent for to aid in the canvass in different parts of the State, and his speeches have always been highly spoken of. As a lawyer he has taken rank with the prominent lawyers of the State. In practice he is courteous and agreeable. As an advocate he stands with the best. After the close of the war Gen. Wood finally settled in Tuskaloosa in the practice of his profession, forming a partnership with C. M. Cook. For many years he has been the efficient attorney of the Alabama Great Southern Railroad Company. General Wood married Miss Lelia Leftwich, they have raised a family of sons and daughters of whom they ought to be commendably proud.

Newton LeGrand Whitfield was elected to the House in 1886 on the ticket with Col. Newton N. Clements. He is the son of Newton L. Whitfield, who heretofore has been noticed, and is the third generation of the same family who has represented Tuskaloosa county in the House. The circumstances of his nomination have already been stated. I did not hear him in the canvass, but was told that he bore himself well for his maiden effort. This must have been true or he never could have made the run he did. I frequently heard it said of him, "he is a chip off the old block." Mr. Whitfield lives in the extreme southern part of the county is, I think, engaged in farming.

This closes the sketches of the representatives from Tuskaloosa county in both Houses from the organization of the State Government until the present session, I will next notice such members of the Tuskaloosa Bar as have not been referred to in the preceding numbers.

[The Tuskaloosa Gazette, July 4, 1889.]

CHAPTER XLIII

The next subject claiming attention will be that portion of the Tuskaloosa bar which has not been heretofore noticed in these sketches. I will therefore take them up in alphabetical order as their names occur to me.

The first name on the list in the above order is that of Thos. D. Clark. Mr. Clark came from North Carolina while quite a young man, and settled in Talladega county, where he afterwards engaged in the practice of the law. In 1843 he was elected to the House from the county of his adoption. Of his position in the Legislature I have no means at command of giving. But one fact shows that he was regarded by the body as a rising young man. He was at that session elected to the office of Attorney General of the State over such men as B. F. Porter, William R. Smith, Joseph Phelan and others presenting an array of talent and experience that would certainly seem favorable to an aspiring young man.

After his election he made Tuskaloosa, then the seat of government, his home as long as he lived.

The office of Attorney General devolved upon Mr. Clark not only the duties of solicitor in the third Judicial Circuit, but also the duty of representing the State in the Supreme Court. In that court he had a grapple with the best lawyers of the State. As prosecuting attorney he took a very high stand. In the Supreme Court he was fully equal to the task. He was certainly one of the rising young men of his profession in the State. But in the midst of what everybody regarded as a brilliant career, death claimed him for his prey. He died in 1847, at Tuskaloosa, universally regretted by all who knew him. In the old cemetery of Tuskaloosa, an imposing marble shaft marks his final resting spot, the inscriptions on which beautifully commemorate his fine traits of character. Mr. Clark married the sister of the late James R. Powell, of Birmingham, more generally known as the Duke of Birmingham.

William Cochrane, was a northern man. He came to Tuskaloosa somewhere in the thirties, and formed a partnership in the

practice of the law with Gen. George W. Crabb. The firm was a strong one, and Mr. Cochrane's industry and legal research tended in a great degree to add power and lustre to the firm. He was a fine lawyer both in the office and in the court house, in the trial of his causes. He vas a very popular and the firm did a large and successful practice. There was one thing peculiar about Mr. Cochrane, that was, he was never a candidate before the people, and if he ever made a political speech I never heard of it. In politics as then classified he was a Democrat, but entirely undemonstative on the subject. Mr. Cochrane was not only a fine lawyer but he was a most excellent business man. He managed to accumulate a very pretty estate which he left for the loved ones left behind. For several years before he died, it was evident to all his friends that disease was making inroads upon his physical system that would eventually terminate his life. He died about the year 1852 or '53, leaving to his family not only a legacy in the goods of this world but a legacy of character of which they may all be proud.

Mr. Cochrane married the daughter of the late Major Hardin Perkins, who still survives him as one of the esteemed ladies of the "Druid City."

His name is to be perpetuated through his sons and daughters, to wit: Hon. W. G. Cochrane, Dr. Hardin P. Cochrane, Mrs. Fitts, the wife of the Rev. P. A. Fitts, of Anniston, and one or two others with whom I am not acquainted.

Chelsea M. Cook, was a native of Tuskaloosa county. His father came to the county from South Carolina, and settled in Tuskaloosa county somewhere in the high up twenties. Chelsea was the youngest of a large family, all of whom stood well in the community. He was educated in the University of the State graduating in the class of 1845. After leaving the University, he studied law in the office of Judge B. F. Porter, and was admitted to practice in 1847 or '48. Mr. William Cochrane's failing health induced him to turn over to Mr. Cook all his unfinished business, which at once gave him a fine showing on the docket. At one time he had considerably the largest docket of any lawyer at the "bar." In 1852 he formed a partnership with Mr. A. E. VanHoose, who had just been admitted to practice. This connection continued until the session of the legislature of 1853, when Mr. Van Hoose was elected solicitor of the 7th cir-

cuit, which required his removal from the county. On this account the partnership was dissolved. Soon thereafter, Mr. William M. Stone became a partner, and continued such until his death in 1861. After the war Mr. Cook formed a partnership with Gen. S. A. M. Wood, which last partnership continued until about 1871, when it was dissolved, shortly after this Mr. Cook died of phneumonia. Mr. Cook never filled but one office in the county. He was for a number of years Register in Chancery. He was never a candidate before the people.

His legal attainments were very fair. As an advocate in his profession he ranked very high. He was a fine popular speaker and was very frequently called upon to address the people on special occasions, and always acquitted himself with credit. He was a prominent Democrat. Mr. Cook, married Miss Susan Kennedy, of what was then Green but now Hale county. His death was lamented by a large circle of friends.

Robert T. Clyde, was a young lawyer at Tuskaloosa when I made his acquaintance in 1841. He was the first Register in Chancery for the county under the separate chancery system of our State. He was exceedingly dressy in his appearance and had about him an air of stiffness that tended to remove him from the people. He did but little practice, in fact not enough to show whether he was well versed in his profession or not. In 1847 he was one of the Democratic candidates for the Legislature, but was clearly distanced in the race. In 1849 he went to California and I lost sight of him. Mr. Clyde was a speaker rather above the average. His partizanship knew no bounds, he was a Democrat all over. But notwithstanding this fact he numbered many warm friends in the Whig party. And although he appeared stiff and unapproachable, an intimate acquaintance with him revealed a warmth of friendship entirely beyond what you would expect. He was of good habits and left the county a bachelor.

Herbert P. Doushet studied law in the office of Peck & Clarke, and was admitted to the practice about 1843. He was hardly successful, he remained in Tuskaloosa till about 1852, when he went to Mississippi and I think died there many years ago. He was a gentleman of good habits, friendly disposition, and of good sense. I never saw him in the management of a

case, and consequently cannot say anything as to his proficiency in that line. In politics he was a Whig.

Samuel H. Prodie came from Charleston, about the year 1846, and formed a partnership with Judge B. F. Porter. He was a young man of fine promise, a good lawyer and fine speaker. In the office he was far above the average. His papers were all prepared in the very best style, both as to matter and style. He was intensely Democratic, on the Calhoun model. He took an active part in the Cass—Taylor canvass of 1848 and was rather sore under the defeat of his favorite. He remained in Tuskaloosa but a few years. Leaving Tuskaloosa he went to California where he was successful, and I understand accumulated a considerable fortune. He visited Tuskaloosa a few years after the war since which time I have not heard from him. Mr. Brodie was a genial, pleasant gentleman, one whom you would like to associate with. He never married.

Charles P. McCraham came to Tuskaloosa in 1845 from Tennessee. He was a partner of Judge Porter. He was regarded as a rising young man, spoke well and was said to be very well read up. He too, was a Democrat of the Jackson school. He remained here until the year 1846, when he returned to Tennessee. I saw hm in November of that year, in Nashville. I thought then he was turning his practice to the wrong "bar." I never head of him after that time.

Robert McIlvaine, a good-natured bachelor, came to Tuskaloosa from Ohio in the latter part of 1843, and settled in North Port, where he taught a school. After getting through with his school he opened an office in Tuskaloosa, but he did not remain there but a short time but went to Centreville, Bibb county, and opened an office. He there formed a partnership with Isom W. Garrett, of Marion. With that association he was enabled to get on one side of every case on the docket. Mr. McIlvaine was a fair lawyer and prepared his cases well, but he would not speak. By prudence and economy he accumulated a very pretty little estate. He died some years ago. He continued in the state of single blessedness as long as he lived.

[The Tuskaloosa Gazette, July 25, 1889.]

CHAPTER XLIV

Alexander B. Meek, lawyer, poet, historian and orator. He was a native of South Carolina, the son of Dr. Samuel M. Meek, who came to Tuskaloosa in the early days of the county. Mr. A. B. Meek was educated in the University of Alabama, graduating in the class of 1833. The first time I ever saw him was at the time he was leaving his home in 1836, going to the Florida war. The ladies of Tuskaloosa presented Tuskaloosa Volunteers with a beautiful flag. The ceremonies took place in the Methodist Church. The flag was presented by Miss Drish, in a well-timed and beautiful speech. It was received by Mr. Meek as the representative of the soldiers, who responded in a speech that was everywhere spoken of as being one of the finest that could be inspired by such an occasion. I next saw Mr. Meek in 1840, on the occasion of the double meeting of the two great parties in that memorable contest. He was quite prominent in the Democratic ranks, though he did not speak on the occassion. In 1841, I came to Tuskaloosa county, and soon after made the acquaintance of Mr. Meek, which acquaintance soon ripened into friendship that lasted as long as he lived.

I will not undertake to speak of the different public positions filled by him, but will refer the reader to Garrett's Public Men of Alabama, where he will find all these things fully stated. I only propose to speak of him as I knew him. Some of my earliest newspaper reading was the old "Flag of the Union," in the days of the Nullification excitement during the General Jackson's second administration. The paper, as its name imported, took the Union side of the question. It was a very popular journal in my section of the country.

In person Judge Meek was tall and commanding, wore his hair long and flowing around his neck. As a scholar I suppose it is safe to say he was the ranking lawyer of his day at the Tuskaloosa bar. As a popular speaker he had but few equals. In 1844, when he delivered an address before some College in Georgia, Richard Yeadon, of Charleston, who was one of the editors of the Charleston Courier, took him by the hand, complimented his speech and said to him, "with such talents and eloquence, what a glorious Whig you would have made."

I will say that Judge Meek was in 1853 elected to the Legislature from Mobile county. At that session he was appointed chairman of the committee on education, and did more, perhaps, than any other one member in organizing and formulating our public school system.

He was elected again in 1859, and was at that session unanimously elected speaker, a position he filled to the satisfaction of all. This was the last public position he held in the State.

It would be difficult to single out any of the literary productions of Judge Meek—they were all so good. If you took up one of his books to read, you would be sure to go through with it before laying it aside.

Judge Meek first married a Mrs. Slatter, after she died he married a Mrs. Cannon a widow lady residing in Columbus, Mississippi, he then moved to that place where he died in 1865.

The reader is again referred to Garrett's book for a more detailed account than I can give in the space I have at command.

Judge Meek's family is now represented alone by his brother, Col. S. M. Meek, the distinguished and eloquent lawyer and orator of Columbus, Miss., and by his younger brother Dr. B. F. Meek, the talented professor of the University of Alabama. He left no children.

Claudius H. Perkins was the son of the late Major Hardin Perkins, and was a native of Tuskaloosa. He was educated at the University of Alabama graduating in the class of 1842. He was admitted to the "Bar" about 1844, I do not remember in what office he studied but think it was with his brother-in-law, William Cochrane. He did not continue in the practice but turned his attention exclusively to his planting interest on the Warrior river. But he remained long enough at the bar to show that he very well understood the science of the profession, and with practice would have succeeded very well. He also remained long enough to be the hero of quite an amusing incident connected with his practice. The story ran about this way: One of his clients seemed to be so unfortunate as to find the door of the county jail closed on him, leaving him in one of the inner

chambers of that building. In this sad condition he asked the kind-hearted jailer to request Mr. Perkins to visit him in his unpleasant situation, Mr. Perkins lost no time in complying with the request, prompted no doubt more by his kindness of heart than by any other consideration. When he got to the jail his client began a rehersal of the facts of his case; he had not proceeded far before Mr. Perkins stopped him and said to him, "Why sir, they cannot put you in jail under that state of facts." But Mr. Perkins, the client replied, they have already got me in jail and I want to get out. Going on with his narrative, Mr. Perkins again interposed with the same declaration that he could not be put in jail, which was responded to by the client, I am already in jail. This little story afforded a good deal of amusement at the time and Mr. Perkins enjoyed it as much as any one else. If my memory is not at fault Mr. Perkins took the necessary steps to get his men out of jail, whether he was fortunate enough to acquit him I do not remember. As a planter he was successful, as a citizen and neighbor he was justly held in high esteem.

Mr. Perkins died towards the close of the war. It is proper to state just here that during the war the plantations of Mr. Perkins, and of his four cousins, Mrs. Carson, Mrs. Marr, Mrs. Inge and Mrs. Venerable, came as near being thrown open to the families of confederate soldiers as any in the country. If there was ever one of them sent away empty, from either of the places, I never heard of it, no matter whether they had money or not. Mr. Perkins married the daughter of Dr. Earle, of Elyton, Ala. Mrs. Perkins is now the wife of Hon. G. W. Hewitt, of Birmingham. In politics he was a Whig.

Joseph J. Porter was the brother of Hon. B. F. Porter. He was a young member of the bar when I came to Tuskaloosa, and was fast rising to distinction in the profession. But in 1845 death cut him off, and of course what he would have been was never realized. He was popular and of good habits. He was a decided Whig in politics.

Joseph Phelan was first brought to public notice by being elected assistant clerk of the House. This occurred at the session of 1838, and was repeated in 1839 and 1840. In 1842 he was elected principle clerk of the same body, and was for several years re-elected, without opposition. In 1845 there was

a gentleman nominated, but Mr. Phelan received every vote cast. The result was mortifying to the other gentleman of high standing, but had but recently become a citizen of the State, but the simple fact was the House did not want anybody else but Phelan and Whigs and Democrats voted for him. He was liberal Democrat.

Mr. Phelan was a man of deep religious feelings, a devoted member of the Methodist Church. In 1847 he entered the ministery of the Church and joined the itinerant ranks. He was successful as a preacher, but his health failed and he had to locate. In 1853, '55 and '57, he was elected principal secretary of the Senate. But before another election came around, death reached out the icy hand and claimed his victim.

In all public places he did his work well, and gave universal satisfaction. Mr. Phelan was a man of sound practical sense—a very fair speaker, of exceedingly kind disposition and pleasant in his intercourse.

He married Miss Laura Powell, a sister of the late Col. James R. Powell.

James Phelan, although not set down as a Tuskaloosa lawyer, he was so closely allied to everything about the place a short notice of him will not be improper.

I first knew him as editor of the "Flag of the Union," the leading Democratic paper in this part of Alabama. After discontinuing that paper he went to Marion and engaged in the practice of the law. He afterwards settled in Aberdeen, Mississippi, where he acquired distinction in his profession. He was a Democrat of the most rigid Southern rights school—was decidedly opposed to the compromise measures of 1850, and in 1851 took strong ground against the election of Senator Henry S. Foote as governor on that ground. In 1860 he was a warm and working friend of Mr. Breckenridge for President, and after the election of that year was equally as decided in his advocacy of secession.

In 1861 he was elected to the Confederate Senate for the Short term. In the Senate he took a high stand, and was no doubt an influential member of the body.

In 1863, the strong secession feeling had considerably subsided in several of the States. It was so in Mississippi, and owing to that feeling Mr. Phelan was beaten for the position before the Legislature.

After the war he settled in Memphis, Tennessee, where he took a high stand as a lawyer and politician. Mr. Phelan was afflicted with what I believe the doctors call an "annmoisn," just under one of his ears. Of course it annoyed him to a considerable extent. He wanted to get rid of it, but he could not get any of the resident physicians to try the knife on it; they all told him it was dangerous. But at length there came along one of these cure all specialists, who examined it, and told Mr. Phelan there was no danger in the world about it, that a single operation would remove it and all would be right. Under these assurances he consented, the knowing doctor applied the lancet, and in a few months Mr. Phelan was dead. I got these facts from a distinguished lawyer of Mississippi. Mr. Phelan was a fine looking man, tall and portly. I never heard him speak, but I was told he was a fine speaker.

He married a Miss Moore, a sister of Honorable Sydenham Moore, who twice represented this district in Congress from Tennessee, and although it is his first session, he is giving evidence of marked ability.

[The Tuskaloosa Gazette, August 15, 1889.]

CHAPTER XLV

Washington Moody came to Tuskaloosa at an early day. I think he was from Tennessee. I think he was clerk in the post office under his brother-in-law, Levin Powell, who has been noticed as a Senator from Tuskaloosa county. The only official position held by Mr. Moody was Judge of the county court after the resignation of Judge S. D. J. Moore. He held this office by appointment. If he was ever a candidate before the people I am not advised of the fact. I made the acquaintance of Judge Moody in 1839, while he was attending the circuit court in Fayette county. The acquaintance was merely a casual one, which was renewed in 1841, after I came to Tuskaloosa to live. Up to the court in 1839 I had been taught to entertain what was then the popular prejudice against lawyers. Looked upon them as a set of sharpers who only worked for your money. At that court the prejudice I had imbibed was entirely swept away, and Judge Moody was the instrument that removed it from me. During the early summer what we now call a "tramp" passed through the neighborhood where I lived, on Sunday evening. Passing the house of a citizen, while the family were from home he entered the house and stole some articles of clothing. When the family returned and missed the things, pursuit was made by the man and his friends the next day, and they finally captured the man about four miles from where he committed the theft. He was taken to jail and remained there until court in October. When he was brought out for trial, the court appointed Mr. Moody and another young lawyer from Columbus, Miss., to defend. He made a fine defense and manifested such an interest in the cause, although he knew he would get no fee, that I changed my opinion about lawyers. His man was convicted, and was the first and last case of whipping post justice ever witnessed by me.

To those who were acquainted with Judge Moody it is needless to say that he was a very fine lawyer. As an advisor he had but few equals; as a leader he was in the front rank of the profession, and as an advocate he was strong. Judge Moody was a very extraordinary business man, in fact it seemed that everything he touched in the way of business was successful. He amassed a large fortune notwithstanding his great losses

growing out of the results of the war, and those losses were to be counted by the thousands many times told. In business as well as in his profession Judge Moody was upright and conscientious. In business he had his fixed rules, from which he rarely varied. But this thing many said of him with truth, he never took advantage of a debtor's embarrassment to exact from him terms that were onerous or oppressive.

Judge Moody first married Miss Bowdon, a sister of Hon. F. W. Bowden, who for several years represented one of the Alabama districts in Congress. After her death he married Miss Jane Sims, daughter of the late Edward Sims. Something like eight or nine years ago Judge Moody died very suddenly at his home in Tuskaloosa. His funeral was largely attended from the Baptist Church. In politics Judge Moody was a Democrat of the straightest sect, but liberal towards the other party. His name is to be perpetuated through his son, Mr. Frank S. Moody, and his daughter, Mrs. Purser, wife of Dr. Purser, pastor of the first Baptist Church of Birmingham. I may here add that Judge Moody established the First National Bank in Tuskaloosa, and was President of that institution up to the time of his death.

Jennings F. Marrast was admitted to practice in Tuskaloosa. He removed to Fayette C. H. and opened an office there. He did not continue in the practice long, and I am unable to note what success he made in his profession. In 1847 and again in 1849 he was elected principal secretary of the Senate, a position which he filled to the entire satisfaction of that body. After this he moved to Mobile, where later he became the partner of his brother-in-law, Julius Hesse, in the receiving and forwarding business, under the firm name of J. Hesse & Co. Mr. Marrast was the son of Dr. John Marrast, for many years President of the Bank of the State. He was a man of good sense, fine business capacity and fine conversational powers. I do not know where he was educated, but I believe he was a West Pointer.

He was a warm personal friend ,and always made you feel pleasant in his company. The last time I saw him I met him on Commerce street in Montgomery, during the last year of the war. He was weeping, as he had just received the news of the death of his nephew, I think he told me, who was killed in one of the battles of that year. Not a great while after that he died. He

married Miss Hubbert, the daughter of Mrs. Harriett Hubbert, of the LaFayette House, of Mobile. She went from Tuskaloosa.

In politics Mr. Marrast was a Democrat.

Arthur F. Hopkins, is a name that will not be forgotten by the old men and especially by the old lawyers of Alabama. He came to Alabama from Virginia, while Alabama was a Territory. He was a member of the convention that framed the constitution of 1819. In 1822-23 and '24 he represented Lawrence county in the Senate. In 1833 he was in the House from Marion county, and in 1834 he was on the Supreme court bench. Judge Hopkins was said to have been highly educated. That he was a man of great intellectual power was admitted by all. He was a Whig of the purest water. In 1840 he was on the electoral ticket in favor of the election of the grandfather of the grandson of the present year. On the ticket with him was John Gayle, Nicholas Davis, Thomas Williams, Harry I. Thornton, Henry W. Hilliard and James Abercrombie—what an array of talent—I doubt if it has ever been equaled by an electoral ticket in Alabama and not surpassed anywhere. Of the canvass of 1840 it is needless to speak, no one acquainted with it ever speaks of it otherwise than as the great canvass in the history of the State. In that canvass Judge Hopkins occupied a position of eminence even in company with his distinguished associates. In 1844 Judge Hopkins was a delegate from the State at large in the Whig convention at Baltimore, which nominated Henry Clay for president. Upon his return the citizens of Tuskaloosa tendered him a public dinner, at which he made a fine speech. After this he went to Mobile.

In 1847 he was voted for by the Whigs in the Legislature for the Senate as a means of keeping up the party organization—of course the Democratic majority was too much to be overcome. Again in 1849 the Whigs in the Legislature rallied to the support of Judge Hopkins for a seat in the Senate. I think this was the last time he was ever presented for preferment. The last time I ever saw him was in Montgomery during the session of 1855-56. He made a set speech at Concert Hall in favor of the American party. There was a large crowd present and he made a very good speech. The members of the party counted on a strong arm in Judge Hopkins for the canvass of 1856—but how easily do all political hopes vanish. The Democrats nomi-

nated James Buchanan. He had been a strong Federalist in his early days, although then claiming to be a staunch Republican. Soon it was manifest that there was a shaking in the ranks of the old Whigs who had voted with the American party, that there was a considerable stampede towards the Buchanan ranks, of such men as Hopkins, Ormond, William G. Jones, Ison W. Garrett and other of Alabama, all old Whigs of the purest type. It was said at the time that the old leaven of Federalism was working the lump. However this may be many of the old Whigs turned up in the Democratic ranks, and most of them realized the pleasures of a private political life the balance of their days. Comparatively speaking but few of them ever attained the position that the old Whig party had given them, and this is true of Judge Hopkins when he went over to his political opponents, he simply stopped. That party had a full supply of ready made aspirants for all the positions worth the seeking.

The only steamboat ever built at Tuskaloosa was, in the presence of a large and enthusiastic crowd and after an appropriate address from Hon. Newton L. Whitfield, named "Louisa Hopkins," in honor of the daughter of Judge Hopkins. The announcement of the name was received with great applause.

Judge Hopkins died in 1866 at the age of about seventy years. The unexpected results of the war in all probability accelerated the approach of death on his hitherto vigerous system. I close this sketch with the same remark that I opened it with. The name of Arthur F. Hopkins will not soon be forgotten by those ecquainted with Alabama politics in his day.

Samuel A. Hale was a native of New Hampshire, was a brother of the celebrated John P. Hale, a senator in the Congress of the United States from their native State. S. A. Hale came to Alabama somewhere about the middle of the thirties. My first knowledge of him was as editor of the Flag of the Union, published at Tuskaloosa, and being then the Capital of the State, was regarded as the leading Democratic Weekly in the State. Mr. Hale possessed far more than an average education, was a very fine writer and made his political opponents feel the power of his skill in handling the quill. He was intensely Democratic, and from his articles one would suppose that in

his opinion it was only necessary for a man to be a Democratic in order to stand at the head of all that was praiseworthy, in politics at least; while on the other hand to be a Whig was the embodiment of all that was vile. But such was not the fact, in all social relations he was the very essence of pleasantness, and no man had more or warmer friends among his contemporaries than did Mr. Hale, and this without any political associations. In conversation he was brilliant and captivating; the only drawback was his disposition to profanity which would soon mar the pleasure of his hearers. I think it safe to say that few men excelled him in general information. About 1848 he moved to Livingston, Alabama, where he opened a law office. In 1854 he was an unsuccessful candidate for circuit judge. In that connection he used to tell an amusing anecdote on himself. He told it thus: He said, during the canvass in one of the upper counties of the circuit, a man took him aside and said to him, "Squire there is a report agin ou up in our parts that is hurting you." What is the report enquired Mr. Hale? Why Why they say you are a brother of that man Hale wha run agin Billy Smith of Congress last year, is that so Squire? Mr. Hale said he told the man that he was not a brother of Mr. Stephen F. Hale, that Stephen F. Hale was a friend of his but no relation, that if the report was doing him an injury he authorized him to contradict it. He said his man paused for a moment then said: "but Squire you are a brother of that Abolitioner, John P. Hale, aint you? He replied that he was sorry his brother was an Abolitionist, but nevertheless they were brothers. After a pause the man said "well Squire we don't care anything about that, but I just tell you if you was a brother to the man that run agin Billy Smith you wouldn't git a vote in these parts."

Mr. Hale said he did not know what influence his denial and confession had on the man, but he found out that at the election Peters just took them all in and there was but few left for him or any of his fellow candidates. Mr. Hale lived a bachelor until about 1858 when he married a Miss Bolling, who died in about two years; afterwards he married a Mrs. Bolling; some years ago he died at Livingston. His widow died during last year at the residence of son-in-law and daughter, Col. and Mrs. I. J. Lee, in Tuskaloosa.

[The Tuskaloosa Gazette, September 5, 1889.]

CHAPTER XLVI

As Saul among the sons of Kish stood from his shoulders and upward above his brethren, so the subject of this sketch stood among the members of the bar in Tuskaloosa, and for that matter in the entire State. E. Wolsey Peck was born in the State of New York, the 7th day of August, 1799. He was admitted to the bar in his native State while a young man, he told me that his examination in open court consumed one entire afternoon.

I do not know precisely how long he remained in New York after obtaining license to practice his profession. Bt I know he came to Alabama while quite a young man and settled in the town of Elyton, then and until the springing up of the Magic City, the county site of Jefferson county, where he opened his first law office in Alabama. How long he continued in Jefferson county, or whether he ever had a partner in that county, I am not advised.

He came to Tuskaloosa some where in the high up twenties, perhaps immediately after the removal of the State Capitol to this place. I understand his first partner in Tuskaloosa was Harvey W. Ellis, and the designation of the firm was Ellis & Peck. His firm did a fine practice and not only made money but also a very high representation both in point of ability as lawyers, and for integrity of character. I am not advised as to when this partnership terminated, perhaps about 1837, when Judge Ellis became one of the political leaders in West Alabama.

When I first made the acquaintance of Judge Peck he was then in partnership with Hon. Lincoln Clarke. This was in 1841, the name of the firm was Peck & Clarke, and it will not be saying too much to say there never was in the State a stronger law firm. This firm continued until 1843 when Mr. Clarke was appointed Judge of the circuit court by Gov. Fitzpatrick. Somewhere about 1837 Judge Peck was appointed Chancellor, but he was defeated for the office by the Legislature on purely political grounds. In 1850 the first election of circuit Judges of the people ,he was a candidate for that position but was defeated by the popular incumbent, George D. Shortridge. In

1856 he was again a candidate for the same position but was again unsuccessful, Hon. W. S. Mudd bearing off the honors. Judge Peck in seeking office, was entirely averse to any of the methods by which men succeed before the people. He said all that he ought to do as a candidate should be to have his name announced and then let the people decide the matter for themselves; that no man ought to electioneer for an office. This idea was fully carried out by him, this fact added to the fact that the political majority was against him accounts for his want of success in seeking these positions. In 1865 Judge Peck was run for a seat in the convention called by provisional Gov. Parsons, preparatory to a return of the State to the Union. He was not in the county during the canvass, he was, however, elected but he failed to get to the convention. The convention admitted the Rev. John C. Foster, who was voted for by his friends without his being a candidate, and he represented the county.

In 1867 Judge Peck was elected from Tuskaloosa county to what is known as the reconstruction convention, and upon the meeting of that body he was unanimously elected president. The reconstruction convention, as its last act, nominated candidates for all State and district offices. Judge Peck was nominated and elected to the position of Chief Justice of the supreme court, which place he filled for about four years, when he resigned. After resigning he retired to the privacy of his home in Tuskaloosa, where he continued to reside until his death in 1888.

If Judge Peck ever had a superior as a lawyer I never met the man. To say that he was the best lawyer I ever saw would simply be repeating what I have often said in expressing my opinion of him, both before and since his death. He was a lawyer of diversified gifts. As a pleader I have never met his equal; you could not imagine a case in which he could not frame a declaration to cover the points. And if he had one to answer, his demurrers or pleas would be sure to reach the bottom of the merits. But he was not only great as a pleader, but as advocate either in civil or criminal cases he was almost without a peer. The finest argument I ever heard before a jury, in a civil case, was made by Judge Peck in Tuskaloosa, on the trial of a petition of some negroes to establish their freedom; and the finest argument I ever listened to in a criminal case was made by him in the

circuit court of Fayette county, on the trial of Dr. Abernathy upon the charge of murder. But to further specifiy would only lead me into fields that I have not time to explore. I may say, however, that Judge Peck was a great lawyer simply because he had studied it and mastered it. In business Judge Peck was eminently successful. He made a fine fortune, and made it alone out of his business. He never speculated, and he told me himself that he never charged a person any usury in his money transactions. In charity, he was always abounding, and he always sought for those who were needy, in dispensing his benevolence. In this he was without ostentation. Judge Peck never took any part in party politics. In voting he was a Whig, a constant reader of the National Intelligencer. I never heard of him making a political speech in his life. After the war he was a Republican. Of his ability as judge of the supreme court I need not speak, the report speak for themselves. As a neighbor he was kind, as a friend he was true, as a citizen just and upright, and to crown all he was an humble and devoted Christian. Judge Peck married Miss Lucy Lamb Randall, who still survives him and is one of the most lovable women of earth. But three children survive him, Mrs. Lucy P. Martin, wife of Hon. John M. Martin, of Birmingham, Prof. David L. Peck, of Illinois, and Dr. Samuel M. Peck, the Tuskaloosa poet, who resides with his mother at the old house at home.

But I must stop, I will close by simply saying, I loved the Judge while he lived, and I love his memory now that he is gone.

Joseph C. Guild was a native of Tuskaloosa, a son of Dr. James Guild, who has been noticed. Mr. Guild was educated at the University of Alabama, graduating in the class of 1842. He was perhaps the youngest graduate that the institution had turned out up to that time. If I am not mistaken that fact was stated at the time he graduated. He afterwards studied law in the office of Peck and Clarke, in his native city. He did not, however, seem to take to the law very vigorously, he seemed timid in its practice. In early life he espoused politics, was intensely Democratic, and for a number of years edited the Democratic paper at Tuskalooosa. He was the unsuspecting victim of the first Know-nothing trick played at Tuskaloosa. He was the Mayor of the city and a candidate for re-election, as supposed without opposition, and knew no better until the managers com-

menced counting the votes when it was found that an unknown candidate, Mr. D. Woodruff, had carried off the city prize by quite a majority. In 1860 he was appointed postmaster at Tuskaloosa under the Buchannan administration. He had previously been one of the assistant clerks in the House of Representatives in Congress. He was also a delegate to the Charleston Democratic convention, in 1860. He was an ardent secessionist, and was active in that direction. After the formation of the Confederate Government, and the breaking out of the war, he raised a company and was appointed captain; but owing to his failing health he resigned and returned to Tuskaloosa, where he resumed the duties of postmaster. Chancellor Dilliard appointed Mr. Guild, Register, in which office he died in 1875. He was a fine writer, a close student, and well posted in the current politics of the times. He was in every sense of the word a gentleman. He had many warm friends, and they were from all the political parties. In the summer of 1875 he died in his native city. He was never married.

[Jouranl North Alabama Conference at Lafayette, Ala.bama Nov. 1892, pp. 23-24.]

The following resolutions, after remarks by R. A. Timmons, E. H. Price, V. O. Hawkins, W. E. Mabry, and D. S. McDonald, were adopted:

WHEREAS, The North Alabama Conference of the Methodist Episcopal Church, South, has heard with great regret of the death of Col. E. A. Powell, of Northport, Alabama, who had been duly elected as a delegate from Tuskaloosa District to this Conference, and,

WHEREAS, The lamented Powell had spent a greater part of a long and useful life in doing good to his fellow-man, and in sacred devotion to the Church of his choice, and had become a familiar figure at the annual sessions of this Conference, where he was honored by his fellows for his sound sense, ripe counsels, unflinching integrity and untiring services;

Therefore resolved, 1st. That although unusual in the case of a layman, yet so useful was the life and so sweet the memory of the deceased, it is but fit that this Conference give some expression of their appreciation of his godly walk and great services to the Church.

2d. That this Conference recognize in him a devout Christian, a useful citizen, pure in the private as well as the public walks of life—"an Isarelite indeed in whom there was no guile."

3d. That we deeply deplore his death, and as a slight token of the profound sorrow at his demise, we request that this tribute be spread at length upon the records of this Conference, and that a copy thereof be furnished to the family of the deceased by the Secretary of this Conference.

Daniel Collier,
R. A. Timmons.

Nov. 20, 1892.

[Christian Advocate, Nashville, Tenn., Feb. 9, 1893.]

Col. E. A. Powell was born in South Carolina, May 27, 1817. In 1830 his parents came to Fayette County, Alabama, where he grew to manhood, working on the farm. In 1837 he professed religion and joined the Methodist Church. He was married to Miss A. M. Lee, Dec. 22, 1846. They were blessed with seven children, three of whom, with the mother preceeded him to the grave, and one has died since her father. He was married to Mrs. R. C. Murray, August 27, 1873, who lives to mourn her loss. No man was ever happier in his family relations. Blest with a quick perception, clear reason, a sound judgment, and a wonderful retentive memory, he found the law a fine field for his work, and in it he took delight, making a success gratifying both to his brethren of the bar and to his friends in general. I hesitate not to say that no man who ever practiced in the courts of the country had the confidence and love of the people more, or was more esteemed by the members of the bar. He served in the Legislature of his State with marked ability in those days that tried men's souls, and was a member of the last State Convention, and was among the most efficient and conservative in that body. In his general character he was noted for his candor. He gave no uncertain sound. You always knew where to find him. But while candid, he did not obtrude his views or advice unsought on others. He was just. He could be fair in his estimate of the claims of others, whether as to money, mental, or moral worth. He was charitable in the broadest sense of the term, not only helping the poor with his means, but ever

ready to succor the weak and raise up the fallen. Col. J. M. Martin says of him: "He was one of the three best men I have ever known. For forty years he never failed to tell me what he thought wrong in me, and to commend me if I did anything worthy. I never but once went positively contrary to his advice, and that has proved to be the mistake of my life." Rev. George A. Tierce, who was his playmate in childhood, and who lived near him till his death, says: "He was one of the purest, best men I have ever known." Brother Powell was licensed to preach in the M. E. Church, South, in 1883; and was a member of the General Conference in 1882. He went through the regular course of study, and was in due time ordained deacon according to the forms of his Church. As a local preacher he was industrious and acceptable, and altogether the most remarkable case I have ever known entering the work late in life. His last sickness was protracted, but not painful, and throughout he had the constant assurance of peace; said he was with Charles Wesley in sentiment when he penned that beautiful hymn:

> "The promised land from Pisgah's top
> I now exult to see."

He was conscious to the last, and his last words were: "Safe on Jordan's stormy banks." He died September —, 1892. Few men have lived a life so consistent, and none had a death more peaceful.

(Signed) J. G. Slaughter.

CEMETERY RECORDS, TUSCALOOSA, ALABAMA

Evergreen Cemetery, Tuscaloosa, Alabama

Prof. George Wm. Benagh, born in Lynchburg, Va., August 27, 1824, died July 22, 1863.
(Professor of Mathematics, University of Alabama, 1850-1863.)

Newton Nash Clements, December 23, 1834, February 20, 1900. Member of Legislature of Alabama ,1870-74, 1876, 1886, 1888, 1890, 1896, Congressman from 6th Alabama District, 1880.

William Gilbert Cochrane, born March 29, 1848, at Tuscaloosa and died May 13, 1915, at Mobile.
(Member of Iegislature, 1878-1888, Judge of Probate, Tuscaloosa County, 1890-1892.)

Henry Watkins Collier, Born January 17, 1801, died August 28, 1855.
(Circuit Judge, 1832-1836, Supreme Court Judge, 1832, Chief Justice of Supreme Court, 1837-1849, Governor of Alabama 1849-1851.)

In loving remembrance of Edward DeGraffenried, 1861-1922 Commissioned an Associate Justice of Supreme Court of Alabama October 10, 1912.

Monroe Donaho, September 25, 1814, April 18, 1889.
(Member of Legislature, 1872-1880.)

James Harris Fitts, 1830-1912.
Trustee, University of Alabama, 1865-1868, Treasurer of University of Alabama, 1872, 1912.

William F. Fitts, M.D., Born February 14, 1829, died December 27, 1862.
Of all the brave men who died for the lost cause no one more beautifully exemplified the courage of a hero or the spirit of the martyr.

William Fauloon Fitts, M.D., born in Clarke County, Alabama, graduated at the Jefferson Medical College, Philadelphia, Pa., in

1851, practiced medicine ten years in Marengo County, Alabama, Elected lieutenant of Company "C", 51st Alabama Cavalry, C. S.A. March 1862, killed leading a charge near Smyrna, Tennessee, buried where he fell by a Federal Major who carved his name and rank to mark the grave as a tribute to his gallantry.

To the beloved memory of John Manly Foster, November 5, 1860 February 3, 1929. A great lawyer, a statesman and inspiring leader.

(Member of Alabama Legislature and State Senate.)

Lieutenant Findley Furrett, 320th Field Artillery, 82nd Division, U.S.A., born June 24, 1896, killed in action at Fleville, France, October 16, 1918.

Amelia Gayle, wife of Jorgas, June 1, 1826, January 3, 1913. During 26 years service as librarian of the University of Alabama, the influence of her rare personality enobled many young lives.

Josiah Gorgas, Chief of Ordnance of the Confederate States, born July 1, 1818, died May 15, 1883.

(President of University of Alabama, 1878-1879.)

William C. Gorgas, son of Josiah and Amelia Gorgas, Major General, U.S.A., conqueror of yellow fever in Havana and Panama, Surgeon General during the World War, born Mobile, Alabeme, 1854, died London, England, 1920. Buried Arlington Cemetery, Washington.

Dr. James Guild, born July 25, 1799, died February 12, 1884. Trustee, University of Alabama, 1846-1853. State Senator, Alabama, 1833, 1845.

Dr. LaFayette Guild, Chief-Surgeon and Medical director of the Army of Northern Virginia under General Robert E. Lee, born 1825 and died in San Francisco, California, July 4, 1870.

Andrew Coleman Hargrove, December 18, 1837 ,December 8, 1895.

(Member of Legislature, 1884, state Senate, 1876-1884, 1888, 1892.)

William Simpson Keller, February 20, 1874, September 9, 1925.

(State Highway Engineer, 1911-1925.)

William Thomas King, Captain, Confederate Army, who was killed in the second battle of Manassas, the nephew and adopted son of William Rufus King, Vice-President of the United States.

Burwell Boykin Lewis, L.L.D., born in Montgomery, Alabama, July 7, 1838, died at University of Alabama, October 11, 1885. In all relations of life as son, brother, husband, father, lawyer, soldier, legislator, statesman and educator, he did his duty nobly and well.

(Member of State Legislature from Shelby County, 1870-1871, Congressman, 6th Alabama District, 1874-1878, President of University of Alabama, 1880-1885.)

Dr. George Little, February 11, 1838 - May 15, 1924. Lieutenant Colonel Confederate Army. Author.

John Little, M.D. June 19, 1841 - February 1, 1919. Sergeant, Lumsden's Battery, Alabama Light Artillery, Confederate Army, 1861-1865. Treasurer Alabama Insane Hospital, 1884-1918.

In memory of Joshus L. Martin, born December 5, 1799, died November 2, 1856, aged 56 years, 10 months and 28 days.

(Governor of Alabama, 1845-1847, member of Legislature 1853.)

Peter Martin, born, February 27, 1797, died November 10, 1862.

Member of Legislature of Alabama, 1844. Judge 6th Alabama District, 1836-1843.

James Jefferson Mayfield, 1861 - 1927. Associate Justice of the Supreme Court of Alabama.

Benjamin F. Meek, 1836-1899.

(Professor, University of Alabama, 1871-1899.)

Farley W. Moody, September 18, 1891, October 11, 1918. First Lieutenant Company B. 325th Infantry, fell leading his men in the Battle of Argone Forest, France.

Frank Sims Moody, October 29, 1849—February 21, 1920.
(State Senator, 1894, 1896, 1906 and 1910.)

R. T. Nabors, born July 13, 1850, died April 1, 1884. Pastor First Methodist Episcopal Church at Tuscaloosa, Alabama.

Sacred to the memory of Francis Nimmo. Born Norfolk, Va., February 20, 1771, died June 15, 1833.
(Great frand-mother of Francis Nimmo Green, Alabama author.)

Captain S. F. Nunnelee, 1825-1907, a veteran of the Mexican War and a soldier of the South in the war between the states, for over 30 years an elder in the Presbyterian Church.

Agnes Payne Owen, born January 9, A.D. 1807, entered into rest February 4, 1889.

Consort of Hopson Owen, Daughter of Marmaduke Williams, Sister of Dollie Payne Owen and second cousin of Dollie Payne Madison, wife of President Madison.

Hopson Owen, born February 14, 1795, died March 29, A.D. 1854.

Lucretia Eliza Owen, wife of Wm. W. Prude, first daughter of Thomas Owen, whose home stood on the site of the L. & N. R.R. Depot in Birmingham, Alabama, 1789-1849.

Thomas W. Palmer, son of Dabney Palmer, 1860-1926.
(Professor of Mathematics, University of Alabama, 1883-1907, President Alabama College, 1907-1926.)

Edwin Anderson Penick, Priest of the Episcopal Church, 1851-1925.
(Rector of Christ Church, Tuscaloosa, Alabama, for 30 years or more.)

David Ingram Purser, born in Copiah County, Miss., December 27, 1842, a Confederate soldier, 1861-1865, ordained a Baptist Minister at Damascus Church, Mississippi, December 4, 1870. Last pastorate in New Orleans, La., 1892-1897. In 1897 yellow fever broke out in that city, though away from home for needed rest he returned and while ministering to others, he was stricken with that disease, God took him October 22, 1897.

When Christ wh ois our life shall appear then shall ye also appear with him in glory.

Sacred to the memory of Warfield Creath Richardson, born June 23, 1823, in Mayesville, Ky., died March 13, 1914, in Tuscaloosa, Alabama. Tuscaloosa poet.

Dr. James Thomas Searcy, born December 10, 1839, died April 6, 1920.
(Superintendent of Alabama Insane Hospitals, 1892-1920.)

Eugene Allen Smith, October 27, 1841, September 7, 1927.
(Professor of Mineralogy and Geology and State Geologist 1871-1927.)

Rev. James George Snedecor, L.L.D., born Louisville, Miss., June 21, 1855, died Decatur, Ga., November 20, 1916.
Head of the Stillman Institute, a theological school for negroes Presbyterian Church, at Tuscaloosa, Alabama.

Rev. James H. Stringfellow, Born December 14, 1850. Fell asleep October 14, 1890.
(Rector, Christ Episcopal Church, Tuscaloosa, Alabama, a number of years until his death.)

Michael Tuomey, born on St. Michael's Day, 1805, in the City of Cork, Ireland, and died on the 30th of March, 1857.
(Professor of Chemistry and Geology, 1849-1857, University of Alabama.)

Sterling Alexander Martin Wood, born Florence, Alabama, March 17, 1823, died at Tuscaloosa, Alabama, July 26, 1891.
(Member of Legislature, 1882.)

William Stokes Wyman, November 23, 1830, October 20, 1915.
(Member of Legislature, 1870, Professor, University of Alabama, 1852-1900, President of University, 1901-1902.)

GREENWOOD CEMETERY, TUSCALOOSA, ALABAMA

In memory of Captain Edmund P. Bacon, who departed this life July 20, 1832, aged 41 years 8 months and 12 days.

Marion Banks, born June 23, 1813, died January 16, 1886, at Tuscaloosa, Alabama.
(Member of Legislature, 1842-1843, 1851.)

Dr. William Banks, a surgeon in the Confederate Army, March, 1877.

In memory of Willis Banks, who was born April 23, 1791, and died September 19, 1862.
(County Commissioner Tuscaloosa County, 1826-1832, member of Legislature, 1828.)

The remains of Mrs. Lovely Beverdey, born in Santa Demingo, but removed to France at the age of four years. Consort of Peter R. Beverdey of Virginia, departed this life in her 69th year for a seat in heaven, February 4, 1849.

Sarah Logan, infant daughter of Thomas R. and Mary P. Bolling, died November 10, 1832, aged two months and seven days.

Sacred to the memory of Amos Briggs, a native of the State of New Jersey, born April 9, 1810, died May 18, 1834.

In memory of C. D. Buck, who died April 27, 1832, aged 36 years 1 month and 5 days.

Sacred to the memory of Lieutenant John H. Chambers (Co. G. 50th Alabama) born October 8, 1841, and fell in defense of his country before Nashville, December 15, 1864.

Sacred to the memory of Major Childress, who died January 18, 1836, in the 63rd year of his age.
Tuscaloosa County Commissioner, 1822-24, one of the early settlers of Tuscaloosa.

In memory of a mother in Israel, Mrs. Mary Childress, who departed this life, January 28, 1860, in her 77th year. Loved and bereaved of all, she sleeps here depending a joyful resurrection.

Consort of Major James Childress.

Sacred to the memory of John Clare, who departed this life 26th of September, 1838, aged 26 years.

(Brother of William Clare, director of State Bank of Alabama and keeper of the Mansion house Hotel at Tuscaloosa where a number of Legislators stopped when the Legislature was in session.)

Here lies all that was mortal of Thomas D. Clarke, late Attorney General of Alabama. He was born in North Carolina June 27, 1818, and died in Tuscaloosa, Alabama, August 25, 1847, and his wife Virginia Powell, born in Virginia, in 1827, died October 5, 1857.

His wife and posthumous child have sustained a loss which this world cannot repair. The consolation belongs to them that the enjoyments of earth have been taken away to match the prospect of eternity. The husband, wife and child may constitute a family in heaven.

Altho death met him in the morning of his days, his triumph over it was as brilliant as had been his brief career. He lived like a philosopher and died like a christian. The intellect that planned the spirit that sowed the mind which waved its pinions to such a nobel fight, clips its wings in the midst of ruins, smiles upon decay, locates beyond the ashes of destruction and builds its own monument in immortality.

In 1839, a youthful stranger and without wealth, he commenced a career in Talladega, earning a support by performing the duties of a clerk and at the same time prosecuting the study of law. In 1841, he became a member of the Bar. In 1843, he was returned from Talladega as a member of the Legislature and shortly afterwards was by that body elected Attorney General. His success and improvement were rapid and in fact confident without being vain of his powers.

(Legislature, 1843, Attorney General of Alabama, 1843-1847.)

In memory of Henry W. Collier, infant son of Henry W. and Mary A. Collier, who was born on the 20th of April, 1820, and died on the 19th of August, 1826, aged 5 years, 4 months and 30 days.

Sacred to the memory of Catherine, a consort of Edward F. Comegys who was born November 18, 1800, and departed this life February 2, 1831, aged 30 years, 2 months and 16 days.

(Consort of Edward F. Comegys, Cashier of State Bank of Alabama.)

To the memory of George Whitfield Crabb, who was born in Botetourt County, Va., February 22, 1804, and died in Philadelphia, August 15, 1846.

He emigrated from Tennessee to this town in 1826, where he resided until 1843, when he removed to the city of Mobile, his home at his death.

His life was characterized by an assiduous cultivation of intellect that placed him high in the legal profession of a firm integrity that elicited the admiration of all who knew him by a chivalrous spirit that discerned and practiced true and unostentatious honor; his death by a calm contemplation of his end with a full belief and confidence in the Christian religion.

In 1836, he left his home and family and a lucrative practice to serve his country as Lieutenant Colonel of Volunteers in the Florida War and returned distinguished as a soldier and singularly endeared to his companions in arms.

In either branch of the legislature of Alabama, as a member of the House of Representatives of the United States, as Judge of the Criminal Court of Mobile (which office he held at his death) he gave a practical illustration that the just man knows no distinction between public and private virtue.

Comptroller, 1828-1835, Legislature, 1836-1837, Lieut. Colonel and Major General, Florida War, Member of Congress, 1838-1844, Judge of County Court of Mobile, 1846.

Thomas Crabtree, died August 6, 1831.

In memory of Hon. Thomas Crawford, born in North Carolina, April 1785, died in this city, September 11, 1844.

Having discharged well all the relations of life, he died with the serenity of the aged believer, "Coming down to his grave in a Good old age like a shock of corn fully.

Trustee, University of Alabama, 1828-1831, 1833-1840.

In memory of Jacob J. Cribbs, a native of Ohio, died February 12, 1834, aged 28 years, 7 months and 10 days.

Hic Sepultus Jacet
Vir ille
Robertus M. Cunningham, D. D.
Belli Revolutionis,
Americanae Miles fidelis,
stiamque
Crucis Domini Jesu Christi;
Ecclesiae Presb.
in Republica Georgias
Pastor
Multos annos,
Et in urbe Lesingtonia
Rep. Kentuckiensis
Eundem honorem tulit,
Qui
De Religione, de Patria
Optime meritus;
Maximo suorum
Desiderio
Mortem Orbiit,
Die Jul XI; Anno Domini:
MDCCXXXI
Aetatis suae
LXXX
Uxor dilectissana
Hoc monumentum
ponendum
Curavit.

(Pastor Presbyterian Churches at Moundville and Tuscaloosa, Ala. from 1826-1838. Revolutionary soldier.)

In memory of Captain James H. Dearing, born in Rockingham, N.C. December 15, 1787, died in Tuscaloosa, Ala., March 4, 1861.

(Visited Tuscaloosa, Ala., in 1816, at Christmas time, and we are informed made the first egg-nog in Tuscaloosa. A pioneer of the most vigorous and enterprising character. In 1812, entered the Army of the United States as Captain and at one time had command of Fort Moultrie, near Charleston. Built the Steamboat Tombigbee which was the second steamboat to penetrate the Warrior River to Tuscaloosa.)

In memory of Mary Ann Dearing, first Daughter of Jas. H. and Julia A. Dearing, born September 10, 1820, died July 6, 1822.

In memory of Julia Eugenia Dearing, second daughter of James H. and Julia Ann Dearing born March 23, 1825, died August 2, 1826.

In memory of Melissa Dearing, born December 18, 1806, died March 6, 1834.

John R. Drish, 1795 - 1867.
(Member of the Legislature, 1831 - 1832.)

In memory of Mrs. R. Elliott, who departed this life, June 11, 1826, aged 28 years.

Sacred to the memory of Margaret Erwin, Jane Weakly and Sarah Dinkens, daughters of Major James and Mary Childress, Margaret Erwin departed this life, 1820, aged 17 months, Jane Weakly, 1824, aged 23 months, Sarah Dinkens, 1825, aged six days.

This stone is erected in memory of Samuel Farsworth, Esq., a native of Boston, Mass., who died 31st of July, 1830.

Sacred to the memory of Hume R. Field, who departed this life, December 5, 1831, in the 66th year of his age.
(Trustee University of Alabama, 1821-1828, Justice of the Quorum, 1821-1822, Judge of the county court, 1822-1827.)

Sacred to the memory of Mildred C. Field, consort of Hume R. Field, who departed this life in the 45th year of her age.

In Memory of Hon. Arthur Foster, who was born in Columbia County, Ga., January 5, 1788. About 32 years of age became a member of Abilene Baptist Church, near his residence, was elected to the Legislature of his state several times in both branches, and later a member of the Senate of the Alabama Legislature, and gave evidence through his life of devotion to the cause of Christ, Died in Tuscaloosa County the 24th of September, 1851, aged 63 years, 8 months and 18 days.

Judge of Tuscaloosa County Court, 1848-1850.

Sacred to the memory of Samuel Gordon Friarson, born February 16, 1805, died April 5, 1857.

(Member of Legislature, 1834-36, Post Master at Tuscaloosa, 1838-1840, State Treasurer of Alabama, 1840-1847.)

John Glascock, born in Facquier County, Va., March 15, 1817, died in Tuscaloosa, Alabama, January 22, 1897.

Mayor of City of Tuscaloosa, Alabama, 1863.

Albert Gallatin Gooch, died January 3, 1858.

(Clerk Supreme Court of Alabama, 1836, Sec'ty to Governor McVay, 1837 Clerk U. S. Court Middle Dist. Ala. 1841, Asst. Commissioner in charge of assets of State Banks.)

In memory of Thomas Goodwyn, Jr. who died 13th of September, 1830.

To the memory of Mary Griffith, daughter of Chas. S. and Mary Patterson, who died 11th of May, 1831, aged 17 months.

Daughter of Chas S. Patterson, Director of State Bank of Alabama and a pioneer tavern keeper at Tuscaloosa.

Sacred to the memory of Rev. Charles Hardy, late pastor of the Methodist Church in Tuscaloosa, who died September 21, 1838, in the 36th year of his age.

He met death with the resignation of a christian, declaring that his only trust was in the atonement and that the promised comforter was with him.

"In God's own arms he left the heath,
That God's own spirit gave,
His was the nearest road to death
And his the sweetest grave."

Sacred to the memory of Mary Hawn, daughter of John Phelan and wife of William Hawn, of Tuscaloosa, who died on the 16th day of February, 1842, in the 30th year of her age.

Mary was comely in her person, cheerful and agreeable in her manners, of a cultivated mind and superior natural intellect, a christian from principle, she manifested in all the relations of life and especially the more exacting ones of sister, mother, wife and daughter with great constancy, a steadfast and faithful regard for those exalted rules of duty and conduct which eminate from the source of all truth and justice and are to be found in the religion of Jesus Christ alone in whose divine intercession she was a firm believer. In this faith she died as she had lived, leaving her surviving friends the consoling belief that she has gone "to rest from her labors." She left four children, the youngest an infant.

Consort of William Hawn, State Treasurer of Alabama.

Sacred to the memory of William Hemphill, born in Chester, S.C., January 10, 1782, died in Tuscaloosa, Alabama, September 12, 1867. Trustee, University of Alabama, 1831-1833.

Alonzo Hill, born April 1, 1846, died January 20, 1894. President and owner of the Tuscaloosa Female College for young women at Tuscaloosa, Alabama.

James Hogan, February 14, 1792, October 20, 1851.
(Director of State Bank, 1838.)

"Richard Inge, born in King and Queen County, Virginia, 1754, died August 13, 1833.

A Revolutionary soldier, Member of Legislature, 1825. Father of Inge family in Alabama."

Sacred to the memory of John Tyler Irby.
Who for magnanimity of feeling
Glamorous and disinterested kindness,
Honesty in his transactions with mankind,
In fine for all the social virtues,
If not unequaled was at least unsurpassed.

This estimable man was born March 4, 1803, and removed from this to another world, October 15, 1827.

Uncle of John Tyler Morgan, Senator of Alabama, who conducted a bookstore at Tuscaloosa, Alabama, in conjunction with George Moran, Father of John Tyler Morgan, who resided in Tuscaloosa, Alabama, at that time.

In memory of our father, William C. Jemison, born December 2, 1850, died March 28, 1901.
Mayor of City of Tuscaloosa, Ala., 1880-1890, 1895-1898.

William Henry Jemison, born March 4, 1820, died November 11, 1892. Member of Legislature, 1861.

George Doherity Johnston, Brigadier General C. S. Army, May 30, 1832, died December 7, 1910.
(United States Civil Service Commissioner under Grover Cleveland, State Senator.)

Sacred to the memory of Robert L. Kennon. His life is his eulogy.
In 1821, preacher in Methodist Church at Tuscaloosa, Alabama, and Physician in active practice. Tuscaloosa Co. Commissioner, 1824-1825.

Sacred to the memory of Margaret Kerr, born September 7, 1778, died May 23, 1830.

In memory of Cora D. King, daughter of Catherine M. and W. W. King, born January 28, 1841, died February 10, 1845.
Granddaughter of Sarah Owen Drish of Tuscaloosa and great granddaughter of Richardson Owen, Revolutionary Soldier. Sister of Grace Elizabeth King, Author, New Orleans, La.

Clarissa Crane Knapp, wife of Rev. Nathaniel P. Knapp, born April 19, 1812, died September 28, 1842.
Wife of Rev. Nathaniel P. Knapp of New York, founder of St. Peter's Church, Benton, later serving in Mobile and Montgomery.

In memory of Mrs. Nancy McCrory, Consort of Samuel McCrory who died April 7, 1827, aged 33 years and Seven months.

Sacred to the memory of Alfred McKinney who was born the 20th of April, 1784, and departed this life the 4th of November, 1821.

James A. McLester, February 28, 1811, November 19, 1894.
(Member of the Legislature, 1866.)

Sacred to the memory of Captain James H. McMath, born in Georgia, August 15, 1819, moved to Tuscaloosa, Alabama, 1821, Killed in battle C. S. army in front of Richmond, Va., June 30, 1863.

Here lies Sarah Mallory, wife of James Mallory, born August 28, 1791, died 5th July, 1829.

Stranger attend as you pass by,
Where you are now so once was I,
As I am now so you must be,
Prepared for you must follow me,
To Joys above or pain below
Then ever stand prepared to go.

In Memory of Dr. John Marrast, died October 30, 1875, aged 80 years.
(President of State Bank, 1840.)

J. M. Martin, January 20, 1837, June 16, 1898.
(State Senator, 1871-1872, Member of Congress 1884-1886.)

Sacred to the memory of Dr. John William Meek, who died 1st of May, 1851. The lamp of truth lit up the dark valley and shadow of death.
(Brother of A. B. and B. F. Meek.)

Sacred to the memory of Mary Alice E. Meek, daughter of Samuel M. and Ann A. Meek, who departed this life September 26, 1821, aged four years, eleven months and ten days.
(Sister of Judge A. B. Meek and Dr. B. F. Meek.)

Sacred to the memory of Dr. Samuel M. Meek, who was born in Lawrence District, South Carolina, August 20, 1786, died in Tuscaloosa, Alabama, May 27, 1846.
He was for thirty five years a minister of the gospel and ever practiced what he preached. Allured to better worlds and led the way, for him to love but Christ's to die and gain, May we meet our father.
(Father of A. B. Meek and Benjamin F. Meek.)

William Miller, 1815-1891.
Judge of Probate, Tuscaloosa County, 1869-1874.

In Memory of Frances Moody, a Revolutionary soldier, and of his wife, Ann Hester, both born in Mecklinburg County, Virginia.
(He died in Tuscaloosa, Alabama. Later on She died in Fayette County.)

Washington Moody, born March 16, 1807, died March 31, 1879, Judge of Tuscaloosa County Court, 1847-1848.

This tomb covers the remains of Samuel Morrow, born A. D. 1743, died March 8, 1835, aged 92 years.
The deceased was a native of Ireland. He emigrated to the United States at the age of fifteen years and landing at Charleston, South Carolina, joined the Army of the Union in the struggle for independence. He was at the siege of Charleston and Savannah and served his country faithfully throughout the War of the Revolution . At the close of the war, he emigrated to Kentucky and was among the first settlers of that state, where he lived for many years a blessing to his family, beloved by all who knew him. The institutions of his country are his monuments.

In memory of Caroline S. Neal, consort of Robert Neal, who was born the 6th of September, 1806, and departed this life May 31, 1831.

John J. Ormond, died March 3, 1866.
(Supreme Court Judge, 1837-1845, Supreme Court Reporter, 1847-1849, "Trustee of University of Alabama, 1843-1847, 1855-1861.)

Dollie Payne Owen, wife of Thomas Owen, born May 17, 1805, died March 29, 1882.
(Grandmother of Thomas M. Owen and related to Dollie Payne Madison, wife of President Madison.)

Richardson Owen, born in Henrico County, Virginia, March 14, 1744, died July 24, 1822, in Tuscaloosa, Alabama.

Sacred to the memory of Mrs. Sarah Owen, who departed this life November 14, 1836, aged seventy years and ten months.

(Wife of Richardson Owen, Revolutoinary Soldier and one of the early pioneers of Tuscaloosa and great grandmother of Thomas McAdory Owen, director of Department of Archives and History, Alabama.)

Thomas Owen, born 1792, died in Tuscaloosa, Alabama, January 19, 1859.

(Judge of the county court, Tuscaloosa, County, 1827-1832. Grandfather of Thomas M. Owen.)

Rev. C. F. Peake,
Principal of the Classical Institute and Mission School for boys and young men in 1849 at Tuscaloosa, Alabama, of the Protestant Episcopal Church of Alabama.

E. Wolsey Peck, 1799 - 1888.

(Chancellor Northern Division, 1839, Supreme Court Judge 1868.)

Sacred to the memory of Margaret C. Penn, who was born on February 23, 1771, and died March 5, 1832, aged 61 years, 9 months and 22 days.

Sacred to the memory of Major Hardin Perkins, who was born in Washington County, Va., October 12, 1791, and died in Tuscaloosa, Alabama, December 30, 1850, leaving a wife and three children to mourn their loss.

He served his country in a civil and military capacity more than thirty years. He was in the Indian War of 1812 and 1813, after which he returned to Tennessee where he was elected Major; shortly afterwards he moved to Alabama where he held at diffrent times the offices of State Treasurer, President of the State Bank and member of the Legislature, which last office he held at the time of his death.

(Member of Legislature, 1819-1820, 1840-1841, 1847, 1849, 1850, 1833-1834, 1826-1829. State Treasurer 1829-1835, President of Bank of Alabama, 1838, War of 1812 with General Andrew Jackson.

Obediah Perry, Baltimore, Md., October 19, 1820, Tuscaloosa, Ala. February 15, 1898.

Mayor of City of Tuscaloosa, Ala., 1863-1865, 1874, 1878-1879.

In memory of Elias Pledger, formerly of Hartford, Conn., who died April 1, 1830, aged 37 years.

May, the daughter of Benjamin F. and Eliza T. Porter, who died April 9, 1837, in her seventh year.

The design of this epitaph is not to speak of the innocence or the beauty or the intelligence of the infant resting here; or to ask the sympathy of others at the pangs which rent the basams of her kindred when torn from them, but to say to the unbeliever, "Go see a child die before you say there is no God.'

Levin Powell, born April 12, 1794, died June 6, 1833.

Pure in heart and wise in judgment.

In public: an efficient Legislator

In private: The friend of the friendless, his whole life was one of active benevolence and usefulness.

Member of Legislature, 1821-1832. President of Senate, 1822-1832.

Sacred to the memory of John Bernard Raser, born in Philadelphia, July 26, 1798, died August 15, 1835, aged 27 years and twenty days.

In memory of Ann Richardson, consort of William Richardson, who departed this life July 12, 1833, aged 31 years.

Alexander M. Robinson who departed this life, September 5, 1838, in the 44th year of his age.

He was a native of Virginia, at an early age he removed to Kentucky, where he received his education and became a member of the Bar. He was a resident of this place about thirteen years and endeared himself to all by his disinterested benevolence, useful and unaffected talents and inflexible integrity.

Hast thou preserved thy honor dear?
Art thou from meanness free?
If not, pass on, who resteth here
Was not akin to thee.
Hast thou to pride ere bent thy head?
Or sycophanted been?
If so, pass on, the humble dead
To thee was not akin.
Hath bigotry ere touched thy heart

And is thy soul severe?
Then God forgive three, but depart,
Thou has no kinsman here,
But if thy honor's slightest touch
Is noticed and abeyed,
Then drop a tear, for ever such
Was he who here is laid.
Art thou a vestry of the muse,
By flowery fancy lead?
Then drop a tear (O don't refrain)
Behold thy brother's dead.
Hast thou a heart kind and sincere
And is thy spirit brave?
Then thy relative resteth here,
Tread lightly on his grave.

(Editor of the Spirit of the Age newspaper, weekly, established in 1828 at Tuscaloosa, Alabama, one of Tuscaloosa's Early poets.)

In memory of Mrs. Mary Rogers, Wife of Thomas Rogers, and daughter of Col. James Martin of North Carolina and mother of Mrs. Ruth M. Dearing, born in Danbury, North Carolina, July 24, 1774, died in Tuscaloosa, Ala., December 17, 1851, aged 77 years, 4 months and 20 days.

A tribute to the memory of Gilbert Saltonstall, who was born on the 6th of October, 1790, and died on the 6th of February 1833.

A tribute of affection to the memory of Gurdon Saltonstall, who was born June 10, 1796, and died August 11, 1834.
Professor, University of Alabama, 1831-1833.

J. J. Samuels, Sr., born in Carolina County, Va., January 3, 1800, died June 22, 1859.
(Clerk of Circuit Court, 1835.)

Dr. Reuben Searcy, born at Chapel Hill, N. C. December 20, 1805, died at Tuscaloosa, Alabama, March 10, 1887.
Member of Legislature, 1837-1838, Trustee Alabama Insane Hospital.

In memory of Henry Adams Snow, born January 17, 1798, died February 23, 1864.

Treasurer of University of Alabama, 1848-1860.

Henderson M. Somerville, born March 23, 1837, died September 15, 1915.

(Judge of Alabama Supreme Court and member of U. S. Board of Tariff Appraisers.)

Ormond Somerville, November 26, 1868, September 8, 1928.

(Supreme Court Judge State of Alabama and Professor of Law at the University of Alabama.)

Prof. S. M. Stafford, born February 18, 1796, died February 19, 1873.

Professor of Ancient Literature, University of Alabama, 1837.

Mrs. M. B. B. Stafford, Consort of S. M. Stafford, Born July 31, 1809, died July 28, 1896.

Principal Stafford School for Women at Tuscaloosa, Alabama, for many years, also called Miss Brook's School for girls.

Rev. Charles Allen Stillman, born Charleston, S. C., March 14, 1819, died Tuscaloosa, Alabama, January 23, 1895.

For more than twenty years pastor of First Presbyterian Church at Tuscaloosa, Ala., and founder of the Stillman Institute for the negro race at Tuscaloosa, Alabama.

Sallie Ann Swope, born January 5, 1814, died January 31, 1872.

Erected by the Ladies Memorial Association of Tuscaloosa, Alabama, in commemoration of her patriotism and faithfulness in nursing the sick of the Confederate Army.

Sacred to the memory of Rev. Benjamin Sykes, who was born on the 29th of December, 1800, died 6th of November, 1845.

He was a fond and indulgent father, an affectionate and kind husband, an exemplary member of society and a pius and faithful minister of the gospel. His course was marked by a strict adherance to the precepts of the bible and he is now gone to reap the reward of those who hold out faithful unto death. "Though dead he yet speaketh."

Sacred to the memory of Dr. John B. Sykes, who was born October 27, 1824, and died January 27, 1848. Though absent he is not lost.

In memory of David M. Talliaferro, born May 8, 1796, departed this life July 9, 1826, in the 31st year of his age.

Sacred to the memory of Eliza R., Consort of Jefferson C. VanDyke, who died August 17, 1848, aged 33 years and six months.

(Consort of Jefferson C. VanDyke, Lawyer and Comptroller of Public Accounts, Alabama.)

Alfred Eggleston, son of Jesse and Ann VanHoose.

Jesse VanHoose, July 3, 1797, February 23, 1852.
Trustee, University of Alabama, 1828-1830.

Sacred to the memory of Mary Amanda, daughter of John and Mary Vincent, October 11, 1823.

(Relative of Bishop Vincent, probably a sister.)

In memory of James B. Wallace, a native of South Carolina, born January 12, 1798, died July 18, 1853, Clerk of Supreme Court, 1838, member of Legislature, 1851.

In memory of John F. Warren, born August 4, 1830, died March 16, 1903.

(Publisher of Tuscaloosa Observer and Tuscaloosa Times Newspapers.)

In memory of James Webb, born August 24, 1793, died January 21, 1831.

Bedford H. Williams, January 15, 1822,—February 28, 1917.
Probate Judge of Tuscaloosa County.

David Woodruff, AET 77.

(Mayor of City of Tuscaloosa, 1855-1868, Secretary of Board of Trustees, 1841-1842.)

Sacred to the memory of Johnathan M. Wyzer, son of Jacob and Fanny Wyzer, born January 5, 1810, killed by lightning, April 24, 1833.

OLD CEMETERY AT LAKE LORRAINE, TUSCALOOSA, ALA.

Sacred to the memory of David Johnston. He was born in Ireland in 1784, was brought in infancy to this country by his parent, was married in Fairfield District, S. C. in 1815, removed to Tuscaloosa in 1819, and died November 6, 1850.

In memory of John D. Johnston, who was born on the 3rd day of February, 1824, and departed this life 20th of November, 1849.

Sacred to the memory of Mary Eliza Johnston, born December 26th, 1825, died September 15, 1831.

Melissa P. Johnston, born January 13, 1835, and died May 26, 1851.

In memory of Harriet Catherine Johnstone, born July 3, 1830 died April 24, 1843.

Sacred to the memory of Hinchey Mitchell, who departed this life August 28, 1820, in the 48th year of his age.

Sacred to the memory of Jabez Mitchell, born April 5, 1802, died March 18, 1845.

Sacred to the memory of Zadock Mitchell, who departed this life November 17, 1825, in the 24th year of his age.

Sacred to the memory of Mrs. Sarah Morrison, who died May 22, 1844, aged 24 years.

ROBERTSON'S CEMETERY, NORTHPORT, ALABAMA

Erected to the memory of Margaret Burns, consort of Wm. V. Burns, who was born November 15, 1809, and departed this life August 14, 1829.

Sacred to the memory of William Findley, born October 7, 1808, died July 28, 1836.

Friends think of me as you pass by,
As you are now so once was I,
As I am now so you must be,
Then stand prepared to follow me.

In memory of Isaac Lee, who was born in the State of North Carolina about the year 1776 and died June 2, 1856.

He was a man of the strictest integrity of character and by his general upright course won the esteem of all who knew him. He was in the army with General Jackson in the Indian War and participated in the battle of Horse Show. In peace he gathered to his father's. This stone is erected by his surviving widow.

Nancy McLester, born in North Carolina, July 7, 1776, died February 16, 1844.

M. Mitchell, Consort of G. W. Mitchell, born November 26, 1808, died February 11, 1839.

Sacred to the memory of Judith Nicholls, who was born May 15, 1793 and departed this life June 8th, 1830, aged 37 years and 21 days.

A. Winn, Sr., born April 26, 1769, died December 23, 1836.